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Senate

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

O Lord, our rock, You are our shield in the time of storm. We give You our hopes and dreams, knowing that You know what is best for our Nation and world.

Sustain our lawmakers. May integrity and uprightness be the standards for their conduct so that they will not be put to shame. Lift the light of Your countenance upon them and be gracious to them. Give them fresh strength and wisdom, as You renew the drumbeat of Your Spirit in their hearts, empowering them to march to the rhythm of Your righteousness.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, today the Senate will resume consideration of the Keystone bill. This is the third week of floor consideration for this bipartisan jobs and infrastructure measure. Senators from both sides have been able to offer amendments and get their ideas voted on. I know Chairman MURKOWSKI is here, and she is working with colleagues to get their amendments in the queue. It is now time to get through the remaining amendments and to vote up or down on passage of the bill.

KEYSTONE JOBS BILL

Mr. MCCONNELL. Mr. President, the Keystone jobs bill is a bipartisan infrastructure project the American people deserve, so the vote last night to filibuster was certainly disappointing. The Keystone jobs bill has been considered and reported out of the energy committee. It has been subject to weeks of open debate. Senators on both sides have been able to offer and vote on amendments—two dozen so far and counting. Our Democratic friends have had more amendments considered on this bill than Republicans, more amendments than all of last year combined.

Just a few days ago we offered our friends the opportunity to have even more of their amendments voted on. Unfortunately, they rejected that offer. So today I am asking them to reconsider, join us, and work with the bill managers, Senator MURKOWSKI and Senator CANTWELL. Let's get your amendments processed, and let's make progress for the American people.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDING OFFICER (Mr. FLAKE). The assistant Democratic leader is recognized.

KEYSTONE PIPELINE

Mr. DURBIN. Mr. President, I wish to commend the Senators who are working on the amendments on the Keystone Canadian pipeline. This is the highest priority of the new Republican majority, a pipeline that is being built on behalf of a Canadian company.

You would think there would be a lot of other possibilities here to create jobs for America, but the Senate Republicans are focused on this one. Ultimately it will produce 35 permanent jobs in America, and this is their highest priority. Had they taken up instead the Federal highway bill—a bill which is looming in terms of a deadline this year—we literally could have created thousands of American jobs across America, not just in one pipeline location. But they chose instead to help this Canadian company build this pipeline.

Sadly, it won't produce products that can help America. We had an amendment offered here on the floor that said any refined products that came from this pipeline would be sold in America. It was defeated. Every Republican voted against that amendment.

Then we offered an amendment that said this pipeline, if it is going to be built in America, should use American steel. Every Republican voted against that, save one.

The notion that we are going to use foreign steel to build a pipeline for a Canadian company so that the refined products from that pipeline can be exported overseas is somehow, in the eyes of the majority in the Senate, an American jobs bill. I don't think the American people would agree with that. They would understand, if we were taking up the Federal highway bill, that is an American jobs bill. We put construction workers across the United States to work and create an infrastructure that would build on the economy, creating more jobs in communities from Arizona to Illinois, from Florida to the State of Washington. But instead we are focused on the Keystone Canadian pipeline, the highest priority of the Senate Republican majority.

DEPARTMENT OF HOMELAND SECURITY FUNDING

Mr. DURBIN. Mr. President, in a little more than a month the Department

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

of Homeland Security in Washington, DC, will run out of money. It is hard to imagine that the agency responsible for combating terrorism in the United States has its budget in question, but that was the design when the people sat down to write the Omnibus appropriations bill last year. The Republicans in the House insisted that if we were going to fund the rest of government, we had to withhold regular funding for the Department of Homeland Security. That is why the deadline of February 27 is looming.

The Department of Homeland Security more than any other single agency is responsible for keeping America safe from terrorism. They supervise and manage the TSA officers and airports. They collect weapons that people try to bring on airplanes. It is hard to imagine that people still do. They try to keep us safe at a time when we know terrorism is a threat not just in the United States but in countries all over the world.

Yet the Republicans in the House and Senate do not want to give regular funding to the Department of Homeland Security. They put it on temporary funding. As Mr. Johnson, the Secretary of this Department, said, it puts them at a real disadvantage at the Department of Homeland Security in keeping America safe. Yet the Republicans have insisted on this. Why? Why would they withhold regular funding for this critical agency? Because they are exercised by the President's decision to issue Executive orders on immigration. Their anger over the President's action has led them to jeopardize the immediate funding of an agency of critical importance to the United States. So they set out in the House of Representatives to add five riders to this appropriations bill which they insist must be passed if we are going to fund this agency. When you look at these five riders, I think you can understand why many of us think this is nothing short of an outrage.

One of the things which they have set their sights on is a program I have worked on for 14 years here in the Senate. I introduced a bill 14 years ago called the DREAM Act—14 years ago. The concept behind it was very basic: Children brought to the United States by their parents who are undocumented deserve a chance—a chance to make a life in America if they have no serious criminal issues, if they have graduated from high school, if they are prepared to step forward, go to college, or serve in the military. The DREAM Act was introduced 14 years ago with a basic concept: Don't hold children responsible for bad decisions or wrongdoing by their parents. Give these young people a chance.

Sadly, in the House of Representatives there is an anger against these young people that is almost difficult to describe. We think there are almost 2 million of them in America, and 600,000 have stepped forward to qualify for the DACA Program, an Executive order by the President that spares them from deportation while they are living in the United States. But the House of Representatives has insisted that we repeal the DACA Program, not issue any renewals for DACA protection, and not issue any new DACA protection for the 1.5 million who may still be eligible. That is one of their conditions before they will fund the agency that deals with terrorism to protect the United States from terrorism.

This last weekend there were several very unusual and important meetings involving the American political scene. One was in California hosted by the Koch brothers which attracted three of our Senators on the other side of the aisle who were at least considering, if not aspiring to be President of the United States. The Koch brothers called them in for a presentation and questions as part of the process of deciding whether the Koch brothers would support them to be the next President of the United States. That is not the first time that has happened. Others representing special interest groups I am sure have called candidates before. This is a very overt effort by two very powerful men to spend almost $1 billion in the next political cycle to control the political future of this country.

As troubling as that is for most Americans to hear, there was another forum that I think was equally disturbing in my neighboring State of Iowa. This was a forum called by Congressman STEVE KING. He called it a freedom forum. He attracted a large array of Republican aspirants to the office of President. Included in those were Governor Christie of New Jersey; Senator CRUZ of Texas; former Senator Santorum of Pennsylvania; Scott Walker, the governor of Wisconsin; former Governor Palin of Alaska; Donald Trump; former Governor Perry of Texas; and former Governor Mike Huckabee of Arkansas. They all came to Iowa to be part of this freedom forum. This freedom forum was sponsored by Congressman STEVE KING.

Without question, Congressman KING has made some of the most outrageous statements about the DREAMers, whom I described earlier, of any Member of Congress. He has compared them to dogs. He has referred to DREAMers as the deportables—whatever that means.

He has one oft-quoted statement: For every valedictorian among the DREAMers, there were 100 who had developed cantaloupe-sized calves carrying illegal narcotics across the border into the United States.

That is the kind of rhetoric which might cause David Duke to blush, but it didn't stop these Republican Presidential aspirants from trekking out to Iowa to pay homage to Congressman STEVEN KING.

I would suggest that the Grand Old Party, which I do respect—the party of Abraham Lincoln—would be a party that would be embarrassed by the comments of Congressman KING rather than pay homage to him in the State of Iowa.

I wish to tell the story of one of the DREAMers whom Congressman KING particularly would come to dislike because this is an undocumented person and one of the DREAMers who would be disadvantaged by the Republican action in the House of Representatives which would literally remove the protection this young lady has from deportation.

This is Ola Kaso. Her story is amazing. She was brought to the United States from Albania in 1998 at the age of 5. She grew up in Warren, MI, and her dream was to become a medical doctor and to treat cancer patients. Ola was the valedictorian of her high school class. She took every advanced placement class offered by her school and had 4.4 grade point average.

She was treasurer of the student council and treasurer of the National Honor Society at her school. In 2011, I held a hearing on the DREAM Act. Ola Kaso had just graduated from high school and she came to testify at that hearing. She was the first ever undocumented immigrant to testify before the Senate.

In the fall of 2011, Ola entered the honors program at the University of Michigan where she is a premed student. What has happened to Ola Kaso since DACA was established in 2012? Ola has become involved in public service. In 2013 she worked as an intern in the office of our former colleague Senator Carl Levin. She continued her studies. This spring Ola will graduate from the University of Michigan with a double major in biochemistry and women's studies.

Keep in mind she completed this degree without any financial assistance from our government. Ola is not eligible for Pell grants or student loans because she is undocumented. She has become involved in nanotechnology, a cutting-edge field that holds great promise for future technological breakthroughs. Ola is now conducting at the Michigan Nanotechnology Institute for Medicine and Biological Sciences. Last year Ola's work was published in the Journal of Physical Chemistry. I want to read the name of the article which Ola Kaso published. I hope I will be spared, a liberal arts lawyer, if I stumble over some of these words. But just to give you an idea of her research, the article was entitled ''Atomic Force Microscopy Probing of Receptor-Nanoparticle Interactions for Riboflavin Receptor Targeted Gold-Dendrimer Nanocomposites.''

Now, that is a mouthful, but it gives you a sense of how much Ola Kaso has to contribute. Next, Ola plans to attend medical school, but if the House Republicans have their way and we pass in the Senate the language which was included as part of the Department of Homeland Security appropriations bill, Ola Kaso will never have a chance. She will be deported back to Albania, a

country she does not know at all. She will be forced to leave the United States.

We will basically give up on the investment we have made as Americans in her education and her potential and tell her: Leave. In the words of Congressman STEVE KING, she is one of the ''deportables''—one of the ''deportables.'' Ola sent me a letter recently. Here is what she said about her dreams for the future:

I aspire to ultimately become a surgical oncologist, but more importantly, I intend to work for patients that cannot afford the astronomical fees accompanying life-saving surgeries, patients are denied the medical treatment they deserve. My goal is not to increase my bank account; my goal is to decrease preventable deaths. I wish to remain in this country to make a difference.

Ola is not alone. There are so many DREAMers across this country just like her who want to be part of our future. It is clear this DACA Program works for America. That is why I am asking DREAMers around the country to join me, post their stories about what they have done with DACA on Twitter and Facebook using the hashtag ''DACA Works.''

I want the American people to understand the human cost of the bill that was passed by the Republicans in the House of Representatives and is now pending before the Senate. If this bill becomes law, DACA will end. Hundreds of thousands of DREAMers will risk deportation to countries they can barely remember. Will America be stronger if we deport Ola Kaso and others like her, young people who want to use their talents to give back to America, deporting them to countries they have some loose connection to by family ties?

Of course not. It is shameless—shameless to play politics with the lives of these young people. They grew up in this country, attended school in this country, put their hand over their hearts in their classrooms every day to pledge allegiance to the only flag they have ever known. It is shameless for the House Republicans to put homeland security funding at risk in pursuit of punishing these young people. The House Republicans feel so strongly about deporting DREAMers, they are willing to hold our homeland security funding hostage.

The House Republicans are telling the Senate and the President: Deport the DREAMers or we will shut down the Department of Homeland Security. I hope the Senate majority leader will reject this blackmail and bring a clean homeland security appropriations bill to the floor of the Senate as soon as possible.

For our part, the Senate Democrats will insist that the Department of Homeland Security be funded and that the President have the authority, which every President has, to establish America's immigration policies. The Presiding Officer was part of an effort, as I was several years, to try to resolve this issue in a thoughtful, balanced, comprehensive way.

The ultimate bill that was considered before the Senate was not perfect. Parts of it I did not like at all, but we reached a compromise. Over a year and a half ago, we sent that bipartisan bill to the House of Representatives asking them to call it for consideration and amendment. They refused, refused for more than a year and a half to call that bill. Instead, what they have done is launch these attacks on young people such as Ola Kaso.

Is that what America is all about? Is that the best we can do? For the dozen or more Republican Presidential aspirants who made that journey out to Iowa to pay homage to Congressman STEVE KING and his views about immigration, I would ask them to, when they return home: Look around you. There are young people just like this young woman who are only asking for a chance to be part of America's future.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

KEYSTONE XL PIPELINE ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1) to approve the Keystone XL Pipeline.

Pending:

Murkowski amendment No. 2, in the nature of a substitute.

Vitter/Cassidy modified amendment No. 80 (to amendment No. 2), to provide for the distribution of revenues from certain areas of the outer Continental Shelf.

Murkowski (for Sullivan) amendment No. 67 (to amendment No. 2), to restrict the authority of the Environmental Protection Agency to arm agency personnel.

Cardin amendment No. 75 (to amendment No. 2), to provide communities that rely on drinking water from a source that may be affected by a tar sands spill from the Keystone XL pipeline an analysis of the potential risks to public health and the environment from a leak or rupture of the pipeline.

Murkowski amendment No. 98 (to amendment No. 2), to express the sense of Congress relating to adaptation projects in the United States Arctic region and rural communities.

Flake amendment No. 103 (to amendment No. 2), to require the evaluation and consolidation of duplicative green building programs.

Cruz amendment No. 15 (to amendment No. 2), to promote economic growth and job creation by increasing exports.

Moran/Cruz amendment No. 73 (to amendment No. 2), to delist the lesser prairie-chicken as a threatened species under the Endangered Species Act of 1973.

Daines amendment No. 132 (to amendment No. 2), to express the sense of Congress regarding the designation of National Monuments.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL HOLOCAUST REMEMBRANCE DAY

Mr. DURBIN. Mr. President, today is International Holocaust Remembrance Day, commemorating the genocide that resulted in the murder of nearly 6 million Jews by the Nazi regime. On this day in 1945, the allied forces entered Auschwitz, a complex of concentration and death camps in Nazi-occupied Poland. They liberated more than 7,000 prisoners. Auschwitz was made up of 3 main camps and more than 40 subcamps covering over 15 square miles. Between 1940 and 1945 nearly 1.3 million people were deported to Auschwitz and at least 1.1 million were murdered.

By January 1945 the allied forces were closing in. To eliminate witnesses to their crimes, thousands of prisoners were killed at Auschwitz, and 60,000 were forced to march west days before the liberation.

During these marches SS guards shot anyone who fell behind or could not continue. More than 15,000 died in that march. In the months prior to the liberation, an elderly French inmate urged a young Jewish prisoner named Olga to watch everything she saw, and when the war was over, to tell the world what she had seen. Olga wrote her memoirs in the years that followed and gave voice to those who could no longer speak.

Yesterday, the Washington Post featured the horrific stories of four Auschwitz survivors, including those who suffered under the sadistic Nazi doctor Josef Mengele, known as the Angel of Death. GEN Dwight D. Eisenhower, the Supreme Commander of the allied forces in Europe also understood the importance of documenting what he saw. After visiting a recently liberated Nazi camp, General Eisenhower urged Washington to send a congressional delegation to witness Nazi crimes firsthand so in the future there could be no attempt to dismiss these allegations as mere propaganda. With the remaining eyewitnesses in their twilight years, the responsibility to ensure that future generations never forget these atrocities falls to us. Recently I joined my colleagues Senators MIKULSKI, CARDIN, KIRK and others and introduced a resolution commemorating this important anniversary. This resolution calls on us to be witnesses to the 1.1 million innocent victims murdered at Auschwitz and honors the legacy of the survivors of the Holocaust.

Last Congress I chaired the Senate Subcommittee on the Constitution, Civil Rights and Human Rights. Although I am disappointed that the Republicans chose to change the name of that subcommittee under their leadership, I am going to continue to focus on protecting human rights and civil rights.

When I chaired the subcommittee, I tried to give a platform to voices that are not often heard and to examine what needs to be done to protect human rights. Our responsibility in Congress is to focus on legislation, not lamentation. So we wrote legislation and passed bills to hold the perpetrators of serious human rights violations accountable for their crimes.

In 2007 my Genocide Accountability Act was enacted, allowing prosecution of genocide committed outside the United States or by someone other than a U.S. national outside the United States. The following year President Bush signed the Child Soldiers Accountability Act, which I also introduced. In 2010 the Child Soldiers Accountability Act was used to deport Liberian warlord Dr. George Boley.

I have also authored the Trafficking in Persons Accountability Act, the Human Rights Enforcement Act, the Child Soldiers Prevention Act, the Child Marriage Prevention Act, Congo Conflict Minerals Act, all legislation aimed at protecting human rights in terrible situations, all of which became law.

Our hearts go out to the survivors who mourn their families and the millions of others murdered in the Holocaust. Today many of the survivors will return to Auschwitz. They will recall that moment when they first arrived more than 70 years ago and passed under a sign that mockingly read, in German, ''Work makes you free.'' Standing before them was Josef Mengele to await their fate. Turning right meant death in the gas chamber, turning left may have meant survival, for a few weeks at least. So many voices were silenced that now we have to tell their stories.

As the memory of the Holocaust passes from those who were there to the generations that were not, we cannot forget the importance of remembrance and speaking out against intolerance whenever and wherever it occurs. Unfortunately these horrible crimes still take place. Consider Boko Haram in Nigeria, ISIL in Syria and Iraq, and the barbaric systems of gulag in North Korea. We cannot be silent.

As Holocaust survivor Ruth Eglash said in yesterday's Washington Post:

> I used to be an optimist until a few years ago, but the situation in the Middle East has changed and the world does not notice anything. . . . The bottom line is, it can happen again and it is happening again in many places, not necessarily to the Jews, but to anyone.

Our promise to hold accountable those who commit the most unspeakable crimes will ring hollow unless we lead the world in punishing those responsible for the gravest human rights violations. I look forward to continuing working with my colleagues in the Senate to make progress toward ending genocide and human rights abuses everywhere they exist. We should all proclaim in one voice: Never again.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. HIRONO. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FUNDING THE DEPARTMENT OF HOMELAND SECURITY

Ms. HIRONO. Mr. President, I rise today on the important issue of funding the Department of Homeland Security and to urge my colleagues to come together and pass a clean appropriations bill with regard to this agency.

The Department of Homeland Security, or DHS, is charged with border security and immigration enforcement. DHS's role extends far beyond immigration. The agency is also responsible for aviation security, emergency management and response, counterterrorism, and cyber security.

Democrats and Republicans have long worked together to make sure our hard-working Federal officers on the border, in our airports, and at our ports can continue their critical work that keeps us safe.

Now the Republican-controlled House would irresponsibly risk shutting down the Department of Homeland Security to score political points over the President's immigration actions. Today I object to the effort to shut down DHS over the President's immigration Executive action because it is not only an irresponsible strategy from a security point of view, but it comes with a real cost in the everyday lives of students and parents.

Funding for the Department of Homeland Security is set to expire February 27. The President has been clear that he will veto any policy riders that undo his Executive action and harm millions of students and their families. The House Republican bill forces us to choose between shutting down the Department of Homeland Security or deporting children and families. This is an untenable choice.

Looking at the votes in the House, it is clear some Members of Congress would on the one hand say our immigration focus should be on securing our border, while on the other hand they risk turning off the lights at Border Patrol stations because they disagree with the President's immigration policies.

Last year I led a congressional delegation to McAllen, TX, and to Lackland Air Force Base to see the humanitarian crisis on the border firsthand. My colleagues and I were heartbroken after seeing children as young as 7 years old in Customs and Border Protection facilities.

But what we also saw were hard-working border agents doing the best they could under difficult circumstances in an already stressed immigration system. These agents should know that we in Washington are going to give them the resources they need to do their jobs, not irresponsibly shut down the Department of Homeland Security, for whom they work.

Instead of threatening to shut down the government's primary homeland security agency, we should be working together to once again pass bipartisan, comprehensive immigration reform. Republicans and Democrats agree our immigration system is broken.

With his Executive action President Obama took a step to bring millions across the country out of the shadows and keep U.S. citizens and their families together. Congressional action that puts families first is needed if we are to permanently fix our immigration system.

The President's Executive action helps millions of people across America by allowing certain students and families to register, work legally, and pay their taxes. His action is rooted in the reality that our immigration enforcement officers need to exercise discretion on whom to go after with limited resources and in a broken immigration system.

Those who oppose the President's action, which is reflected in the House Republican bill, say that the President and enforcement officers must act with absolutely no discretion. This position contemplates and, in fact, supports the removal of nearly 12 million undocumented people from our country. This is paramount to a policy of mass deportation.

If mass deportation were enacted, DHS would need an exponential increase in funding and resources. Billions in increased spending without any permanent fixes or reforms is not a viable option. Even if we somehow have the resources to enact the policy of mass deportation, doing so would devastate our economy, removing millions of hard-working people who would no longer be working, running businesses, buying our goods and products. That would lead to over $2.5 trillion of economic loss to our country in just a decade.

Mass deportation is not a serious solution for immigration reform. It simply is not possible for DHS to remove every undocumented person from this country.

Passing the House bill would just make life even harder for these people, many of whom are already some of the hardest working people in our Nation.

As I mentioned, there are nearly 12 million undocumented people living in communities across America. Many have been living here for years or decades. They are parents, they are small

business owners, and they are our neighbors and our children's classmates at school.

They are people such as Bianca, a woman who lives in Hawaii with her family. After moving to the United States on a visa over a decade ago, Bianca met her husband. They moved to the place where they had always dreamed of living—Hawaii, naturally—and began a family there.

Bianca's work visa and her husband's work visa were temporary, and like many immigrant families they faced a tough decision to remain after their visas expired and to continue building a life here in America. Bianca and her husband started with nothing. Today they have two small businesses on Oahu and four American children—children born in the United States. Their businesses employ American citizens. They pay their taxes, and they work hard to provide for their families and be engaged in the community.

Because of the President's order, Bianca and her family no longer live in fear every single day of being torn from the life they have built in Hawaii.

The House Republicans' mass deportation policy is a serious proposal in only one respect. It would result in serious, negative consequences for our economy, our government, and millions of families in our country.

In contrast, prioritizing deporting felons, not families and students, is simply common sense, and that is what the President's Executive order does.

Now is the time when we should be working together on commonsense and comprehensive immigration reform that the vast majority of Americans support. Comprehensive immigration reform is supported by 70 percent of the American people. In the past Congress, nearly 70 percent of the Senate supported our bipartisan immigration bill.

Our bipartisan bill was a compromise. It strengthened border security, modernized our system, addressed visa backlogs, and allowed millions of undocumented people to step out of the shadows, get in line, and work toward becoming American citizens. Comprehensive immigration reform would have spurred economic growth in our country by over $100 billion per year while helping to bring down the deficit.

The only thing that kept this bipartisan reform bill from becoming law was the fact that Speaker BOEHNER refused to give the bill an up-or-down vote in the House. Recklessly shutting down the Department of Homeland Security will not fix our broken immigration system. Undoing the President's Executive action will not fix our broken immigration system. We must work together, and we must fund the Department of Homeland Security so that they can continue to protect our country, and we must come together to pass commonsense reform that Americans support.

Both sides of the aisle agree that we are a nation of immigrants and our immigration system is broken. We don't need to shut down the Department of Homeland Security or round up and deport millions of families and individuals.

We can start that process with a clean DHS funding bill, and I urge my Republican colleagues to bring one to the floor quickly.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. I rise this morning to join our colleagues in discussing the need for a clean, full-year bill to fund the Department of Homeland Security. Just 30 days from today, funding for the Department of Homeland Security expires unless Congress acts.

I know that sometimes in congressional time 30 days may seem like a long time, but with a scheduled recess in a few weeks and the certain fact that the House-passed bill cannot pass the Senate, we must act soon to prevent a shutdown and provide the resources to keep our country safe.

Luckily, there is a path forward to prevent a shutdown. We should pass the bipartisan, bicameral, Homeland Security funding bill that was agreed to last December.

Just a few weeks ago, Senator MIKULSKI, then Chair of the Senate Appropriations Committee, and Congressman ROGERS, Chair of the House Appropriations Committee, negotiated spending bills for the entire government, including the Department of Homeland Security bill. This was a compromise measure. Not everyone got what they wanted, but the bill funded the Department at levels that would ensure the Department can fulfill its mission to secure the homeland.

Then, unfortunately, politics came into play. Some House Republicans demanded the homeland bill be removed from the larger budget because of immigration issues, and now the entire Department is funded on a short-term basis through February 27. Now we face a fundamental question: Are we going to put the country at risk because of an ideological disagreement?

Since Senator MIKULSKI and Congressman ROGERS reached that agreement in December, we have seen many threats to our Nation and to our allies. The U.S. law enforcement community is on high alert for terror threats after attacks in Australia and Ottawa, Canada, and in Paris. Recently, an Ohio man was arrested when it was discovered he was plotting to blow up the U.S. Capitol in an ISIS-inspired plan. Now is not the time to be holding up funding for the Department of Homeland Security because of ideological reasons.

Last week, I had the opportunity to visit the Department of Homeland Security's cyber security center in Arlington. The center is where officials are working every day to prevent attacks not just against the Federal Government or against State governments but against the private sector, against U.S. companies such as Sony, and against critical infrastructure such as nuclear powerplants and the electric grid.

Last week, in the Armed Services Committee, former National Security Adviser Brent Scowcroft said that he views cyber security threats to be ''as dangerous as nuclear weapons.''

We must continue to make important investments in our cyber defenses. But if we fail to fully fund their budget—the clean budget that was agreed to by the House and Senate—their efforts to identify the newest technologies and strategies to protect our cyber infrastructure will be put on hold.

One of the things they talked to me about when I visited the center includes two areas I think are particularly important to our national security. One is the effort to identify a secure emergency response line, which is very critical when we have national emergencies—even the snowstorm we are seeing in the northeast in New Hampshire, where we have several feet of snow that is being predicted. We also need a secure emergency response line so our first responders—the people there on the ground when an emergency happens—can communicate with each other. That is at risk if we pass a CR rather than a clean funding bill.

The other thing at risk is the effort to identify the next generation of cyber threats. There are things being worked on that we don't even know yet, and unless we are ahead of that curve we are not going to be there to protect our cyber system throughout the country. So we need to give the Department of Homeland Security budgetary certainty so it can plan and prepare for these kinds of threats. That is why a short-term continuing resolution should be off the table. We need to pass a bill that funds homeland security for the rest of this fiscal year.

A short-term budget means the Department is on autopilot. That would be extraordinarily bad for business and for our national security. If Homeland Security operates under a short-term budget, new projects and grants are halted, contracts and acquisitions are postponed, hiring is delayed, employee training is scaled back, and grants to our first responders—those people on the ground when something happens—are not going to be awarded, and congressionally targeted reductions—those reductions we want to make in wasteful programs—are also put on hold.

Yesterday I had the opportunity to visit New Hampshire's fusion center. Every State has a fusion center. This is a network of centers designed to serve as a focal point in each State to coordinate terrorism-related information and threats to our national security, to our State security, and to our municipalities. It is a place where first responders, local law enforcement, and in New

Hampshire's fusion center, in addition to our State and local folks being represented, someone from the FBI is there on hand, someone from the Department of Homeland Security identifies potential threats and relays that information up and down the chain of command.

In New Hampshire, the fusion center has also been very critical in working to address drug interdiction and to help identify the heroin abuse epidemic that, sadly, we have seen not only in New Hampshire but in northern New England. If we have a short-term budget, new grants to our fusion centers, which are on the front lines of protecting our States and municipalities against security threats, and the security grants to State and local law enforcement will not be awarded.

Why would we threaten this important public safety and security funding for unrelated ideological reasons?

Secretary Jeh Johnson recently said:

> As long as this Department continues to operate on a continuing resolution, we are prevented from funding key homeland security initiatives. These include, for example, funding for new grants to State and local law enforcement, additional border security resources, and additional Secret Service resources to implement the changes recommended by the independent panel. Other core missions, such as aviation security and protection of Federal installations and personnel, are also hampered.

That is a direct quote from the Secretary of the Department of Homeland Security, Jeh Johnson.

In addition to what he lays out there, I want to highlight a few specific examples of why a short-term budget—a continuing resolution—is problematic for the Department and for our national security.

Immigration and Customs Enforcement—ICE—could not fund all of its current detention, antitrafficking, and smuggling requirements under a short-term budget. Under a short-term budget, ICE will not have the funding they need to meet their legal mandate to have 34,000 detention beds in place for immigration detainees nor funding for a new family detention center.

So for those people concerned about our border security, concerned about people coming into this country, why would we want to deny funding to address efforts to interdict people coming across the border, to interdict surveillance efforts, to build a new family detention center so we can find out who these people are and whether they should go back to the country they came from? It makes no sense.

Under a short-term budget, there is no funding to hire additional investigators for antitrafficking and smuggling cases to combat the influx of unaccompanied children at the southern border.

Under a short-term budget, no funding is provided to address Secret Service weaknesses identified after the recent White House fence-jumping incident.

Yesterday we saw concerns about how the Secret Service operates. This time I think everybody acknowledged they could not have been expected to intervene in the drone that got dropped on the White House lawn, but it highlights again the threats that are there and why we need to ensure the Secret Service has the resources to reform itself and to make sure the President and officials are protected.

A short-term budget would delay the contract for the Coast Guard's eighth national security cutter we need for maritime security.

In New Hampshire, we have a border with the ocean, so we very much appreciate the work of the Coast Guard, but I think it is critical throughout the country. And one of the things that would be put on hold is upgrading the Coast Guard's ice-breaking fleet.

Last winter alone, when the Great Lakes froze, $705 million in shipping was lost and 3,800 jobs because we didn't have a Coast Guard ice-breaker that can open a channel on the Great Lakes.

Under a short-term budget, aging nuclear weapons equipment will not be replaced. That causes gaps in an area where mistakes are simply unacceptable and too dangerous even to comprehend.

A short-term budget would delay upgrades to emergency communications for first responders—something I have already talked about—as we think about how they respond to local emergencies.

The best way forward is to provide certainty and stability for the men and women who fulfill homeland security's mission to protect the United States from harm. To ensure our local communities and our States that we are providing the resources they need, we need to pass a clean bill—a clean bill that was agreed to last December.

Lurching from funding crisis to funding crisis is a terrible way to govern. It is an especially terrible way to govern when our Nation is dealing with major threats. The clean bill that was agreed to by the House and Senate last December provides a good budget that strengthens our Nation, protects against known threats, properly supports homeland security and those who serve on the front lines of protecting this country.

The negotiated agreement includes critical increases in funding and support for border security, for cyber security, and for other national security initiatives. It maintains strong maritime security operations provided by the Coast Guard. The agreement fully funds continued cyber security advancements. It invests in innovative solutions for border security, for biological defense, and for explosives detection.

Senators on both sides of the aisle have talked about the importance of border security and a clean bill that robustly funds border security requirements. The clean bill funds customs and border protections requirements to apprehend, care for, and transmit unaccompanied alien children, while maintaining 21,370 Border Patrol agents on our borders and safely facilitating legitimate travel and trade.

The agreement also funds enhanced border security technologies as well as air and marine surveillance along our land and maritime borders to help the Department better interdict illegal crossing of people and narcotics.

It allocates grant funding to train and equip first responders, continuing real progress and efficient preparedness, as was so evident in New England in the response to the Boston marathon bombing.

And the agreement fully funds known disaster needs and prepares us for the next disaster.

In closing, let us support our national security funding by passing a clean bill to fund the Department of Homeland Security for the rest of this fiscal year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, today I stand in support of the Keystone Pipeline project. As an Alaskan, I feel it is important to talk about this bill and the importance of American energy infrastructure.

I live in a State with one of the world's largest pipelines. In 1973, after bitter debate—similar to the debate about Keystone—Congress passed a bill that led to the construction of the Trans-Alaska Pipeline System—what we in Alaska call TAPS. It almost didn't happen. The Vice President at the time, serving as the President of the Senate, cast the tie-breaking vote. Then, like now, opponents howled. They said TAPS would be an environmental disaster. They said bird and caribou populations would be decimated.

But none of that happened. In fact, birds and caribou flourished, showing we can develop energy infrastructure responsibly with the highest standards in the world. Alaska proves this every day. TAPS was completed in 1978. It has carried almost 17 billion barrels of oil to energy-thirsty American markets. It is a technological and environmental marvel and a critical component of America's energy infrastructure. It has been a resounding success for this country and for my State. It is the engine of growth for Alaska's economy. The proven safest, most environmentally responsible way to transport oil is through a pipeline. I am certain Keystone will also prove a success.

In supporting Keystone, I am also standing for a larger, more important principle—the ideal that the Federal Government should be a partner in opportunity, a partner in progress, not an obstacle. I am standing in support of what has defined this country for centuries—the idea of the American dream.

The American dream is still alive in my home State. Yes, we have major challenges, like all States. But in Alaska, we still have hope. We still dream

big dreams, and TAPS helps fuel these dreams.

In Alaska, the very air we breathe is bathed in promise. The people still speak the language of bold ideas and rugged adventure. It is these people of all colors and creeds who make up the tapestry of Alaska that give us our strength. It is the enormous opportunities of our natural resources—whether world-class fisheries or oil and gas reserves—that drive the economic engine of my State.

But despite this promise and opportunity, I also see anxiety and frustration, and even fear, in the eyes of my fellow Alaskans, just as I know others are seeing this across the country. Despite what we are hearing from this administration, Americans have real reasons to feel this way.

Business startups are at a 35-year low, as is the percentage of Americans actually looking for work. More small businesses failed than were started this past year. Over three-quarters of Americans now believe their kids' future will be less promising than their own.

Believing that we will leave our children a better tomorrow is the essence of the American dream. But for many, that dream is starting to fade. This does not have to be. We live in a State and a country with so much untapped potential, so many opportunities, and so much promise that can bring limitless possibilities for our kids and our grandkids. Yet, in Alaska and throughout America, people are feeling that the heavy hand of the Federal Government is not working in their interests.

The boldness of America is being bludgeoned by bureaucrats, with new Executive orders and regulations arising everywhere. And every time another one of those unneeded, often absurd, regulations is promulgated, a little bit of hope dies.

A little bit of hope dies every time a doctor's office is shuttered or someone loses health care because of the complexities and costs of ObamaCare.

A little hope dies when a rural community wants to build a road that will protect its citizens and is told by the Secretary of the Interior that birds are more important than their lives.

And a lot of hope dies when the people in my State are told that the resources that are rightfully theirs can't be developed, and their lands and waters can't be fished and hunted to put food on their table.

I support the Keystone Pipeline. It will create thousands of jobs. That is why it has the overwhelming support of American labor unions. It will enhance America's energy infrastructure and contribute billions to our economy. That is why it has the support of the American people.

But just one bill, one pipeline, one project is not enough. It is not nearly enough.

Since the founding of this country we have had important debates right here, on this floor, about the role of the Federal Government in our lives. Judging from what Americans are telling us, the reach of the Federal Government has hit its limits, it has exceeded its limits. Our citizens are telling us that their government—and it is their government—has gone well beyond deriving its powers from the consent of the government. What the American people are telling us, what Alaskans are telling me is they want a Federal Government that helps ignite their hope, not smother it.

We have a job to do. We must work to address the anxiety and frustration of the people we serve. We must work to once again unleash the great potential that is Alaska and America. And we must work to reinvigorate faith in the American dream.

How do we do this? Let me suggest two ideas.

First, we must stop delaying economic projects that benefit our citizens. Purposeful delays and roadblocks have been the hallmark of this administration's approach to infrastructure projects that benefit Americans, and Alaska has been ground zero for such delays. Bridges, roads, mines that take years simply to permit, not to build; oil wells that cannot be drilled on Federal lands despite billions of dollars of leases from the private sector to the Federal Government; a state-of-the-art clean coal plant that sits idle for over a decade despite the dire need for lower cost energy throughout Alaska.

The Keystone Pipeline, a project that has been studied for 6 years, is just the latest example of the willful delay that has been the weapon of choice for this administration for killing projects they don't like.

Enough is enough. We are Americans. We know what we are capable of. We built the 1,700-mile Alaskan-Canadian Highway, the Alcan Highway, through some of the world's most rugged terrain, in less than a year. We built the Empire State Building in 410 days. The Pentagon was built in 16 months. There is no reason that Keystone should have been studied for 6 years.

If the executive branch continues to dither on America's economic future, Congress can and should act to expedite such projects. That is what we are doing with Keystone, and that is what I will be pressing the Congress to do for Alaska's and America's next great energy infrastructure project—the Alaska LNG project—which will create thousands of jobs and provide clean and affordable energy to Americans and our allies for decades.

Second, we need more, not less, access to our Federal lands. As Americans, these are our lands. We own them. They are not the Department of the Interior's or BLM's lands. Yet this administration is adamant on keeping us from responsibly developing them. Once again, Alaska is ground zero for their efforts.

Through Executive orders of various dubious legal merit, this administration locked up half the National Petroleum Reserve of Alaska. This isn't a national park. NPRA is an area specifically set aside by Congress for oil and gas development. And just this weekend, in another brazen action, the Obama administration announced they are working to lock up millions of acres of land on Alaska's coastal plain, some of the Nation's richest oil and gas prospects.

This is an affront to Alaskans and Americans who cherish security—energy security—the rule of law, and the strength of our Nation, and it is an affront to Members of Congress regardless of party. How we develop Alaska's lands is an area where Congress, not the Executive, has preeminent authority.

I think the Obama administration needs a reminder of what article 4, section 3 of the Constitution states:

> The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . .

This brings me to my third point: We must get back to the rule of law. The rule of law, carefully built up and nurtured for centuries in America, is a fundamental pillar of our great Nation. Most countries don't have it. We do. It is a gift. But if we continue to erode this rule of law, we ultimately undermine what it means to be an American, and it will be hard to get it back.

But I hope, because there are still enough of us here who respect the rule of law and see the Constitution not as a mere suggestion but as the foundation for the structure of our government and our individual liberties. There have been cracks in the foundation recently, but the people sent us here to repair those cracks.

Fourth, while I believe in a limited Federal Government, it is important to recognize where the Federal Government does not have responsibilities, it needs to carry out its duties with more efficiency and compassion, particularly toward the most vulnerable in society. This is especially true when it comes to honoring the sacred trusts of responsibility we have toward our veterans.

That is why I cosponsored the Clay Hunt suicide prevention bill. I am confident my colleagues on both sides of the aisle will quickly vote on this important measure and move it on to the President's desk.

It is also why I will support effective programs where the Federal Government and States can work together to address our problems throughout this country with regard to sexual assault and domestic violence.

Fifth, and finally, we must challenge the conventional wisdom that has existed in this town for decades that the Federal Government's power and intrusiveness should always be expanding like some inevitable force of nature. Nowhere is this more important than reforming the overgrown regulatory thicket that strangles our future.

According to the President's own Small Business Administration, Federal regulations impose an annual burden on our economy of close to $2 trillion. That is roughly $15,000 per year per American family. Federal regulations are sapping our strength as a Nation. So many of them don't make sense, and others are not authorized by law or the Constitution as they must be. And, increasingly, those who promulgate and enforce them are showing less and less restraint for the well-being of our citizens.

The recent Obama administration ANWR assault is the latest example, and I will use all of my power to protect the economic growth and prosperity of Alaska. That is why I have already filed amendments with Senator MURKOWSKI to rescind the Obama administration's ANWR order.

I have also filed an amendment that seeks to check another abuse of Federal power. When the EPA was initially authorized in 1970, no one thought it necessary to arm its employees with weapons. But today, in a classic case of Federal Government power creep, close to 200 armed EPA agents are roaming our country. It is a disturbing fact.

But it was particularly disturbing for a small group of miners who, during the summer of 2013, prospecting for gold in Chicken, AK, were swarmed by armed EPA agents.

This wasn't some huge mining conglomerate. This was a small mining operation in interior Alaska—sluice boxes with specks of Alaska gold, and EPA agents armed with rifles, body armor, a helicopter overhead, looking for Clean Water Act violations. They found none. And apart from terrifying the miners, they accomplished nothing.

As Alaska's former attorney general and commissioner of Natural Resources, I have worked with many fine Federal agents, and I understand the importance of sensible regulations that are based on the directives of Congress. But problems arise when regulations become excessive—and big problems arise when regulators are given guns to enforce these regulations. It is our responsibility to say: Enough; to stand up for those we serve, and to roll back Federal power when necessary.

I am all for a country with an armed citizenry. As a marine, I have taken an oath to defend and fight for this critical constitutional freedom. However, I am not for a country with an armed bureaucracy.

Let's give my State and the rest of the country a little hope that we are doing the jobs they sent us here to do. One concrete step in that direction would be to pass this simple amendment I am offering to disarm the EPA. They can certainly do their job without having guns. They have done so in the past, and they should be able to do so in the future.

Finally, I will close with a few words on how I view my mission here. I suspect it doesn't differ greatly from what most of us hope to accomplish. We all want the best for the people we serve and the States we represent. We want to be strong here at home, which will help us be respected once again by our allies and feared by our adversaries. We want our children to be safe and secure, and we want the same for our neighbor.

We want to live in a country of unlimited opportunity—a country of Alaska-sized dreams. We want a government that holds dear what our Founding Fathers knew—that all powers are derived from the consent of the governed. I think most of us can agree that we must unleash our country's enormous economic potential once again.

I believe our government should be helping us, not hindering us from achieving these efforts. I believe unlocking our country's vast energy potential is one of the best ways to reignite the American dream.

Despite challenges, despite big government's creep into our lives, and despite armed EPA agents, we continue to live in the greatest country in the world—in the history of the world. There is no doubt about that. The people who sent us here still have big dreams and big hopes. Let's help those dreams grow and their hopes flourish.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The majority leader.

Mr. MCCONNELL. Mr. President, I wish to congratulate our new colleague from Alaska on his initial address to the Senate and just comment that it could not be more timely, as his State is obviously under assault by this administration. His prescription for the way forward, both for Alaska and America, strikes me as entirely appropriate for our country, and I congratulate our colleague.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. I wish to thank the majority leader for his kind words and all my other colleagues who came to witness a new Senator's maiden speech.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I also wish to congratulate our new colleague from Alaska. Well said, and welcome. The two Senators from Alaska have dominated the start of this new session, and we are glad they have because they are bringing very important legislation and decisions to this body. So I congratulate both the senior and junior Senators from Alaska for their efforts, and I look forward to working together to accomplish what we all want to accomplish—a growing economy and better opportunities for Americans. The Senator from Alaska is certainly an important component of that in leading the way to that goal.

INDIANA HEALTH CARE

Mr. President, this morning we received the announcement that after nearly 2 years of negotiations, the State of Indiana and the U.S. Department of Health and Human Services have reached a major breakthrough, an agreement that approves Indiana's Healthy Indiana Plan 2.0 waiver application by allowing it to move forward and be implemented.

This agreement is great news for hundreds of thousands of low-income Hoosiers and a testament to the effectiveness of the current Healthy Indiana Plan. Now an expansion of that will be made possible through this waiver. It solidifies Indiana's position at the forefront of Medicaid reform and the advancement of consumer-driven health care. Those are key words—reforming a current dysfunctional and broken Medicaid system, advancing consumer-driven health care, getting consumers into the role of making decisions about their health and not just having a government agency say: This is what you can get, and this is what you cannot get or this is what makes you healthy. The Healthy Indiana Plan incentivizes consumers to determine what is best for their own health.

The Healthy Indiana Plan was originally crafted under Indiana's former Governor Mitch Daniels. He extended health care coverage to lower-income residents who earned too much to qualify for Medicaid but too little to afford quality health coverage.

The guiding principle of the original plan was simple. Individually owned and directed health care coverage has a positive effect for individual citizens and the health care system as a whole. We have proven that giving people a stake in their own health care decisions works.

Governor Daniels put it well in a 2010 Wall Street Journal article, stating:

> Americans can make sound, thrifty decisions about their own health. If national policy trusted and encouraged them to do so, our sky-rocketing health care costs would decelerate.

The original plan had three main objectives: individual control of health care spending, taxpayer protection based on the stipulation that enrollment could not grow faster than available funding, and disease prevention by incentivizing preventive care.

Then in 2013 our current Governor, Mike Pence, announced plans to reform and expand the original Healthy Indiana Plan to cover more low-income Hoosiers. Today, after more than a year and a half of negotiations, the Healthy Indiana Plan 2.0 has received a green light from the Obama administration. Coverage will begin on February 1 of this year.

I applaud Governor Pence, and I applaud Health and Human Services Secretary Sylvia Burwell for working together to move forward to continue Indiana's successful consumer-driven approach that empowers members and provides access to quality care.

This agreement will expand an existing proven program to more than 350,000 low-income Hoosiers and allow the State of Indiana to end traditional Medicaid for all nondisabled adults between the ages of 19 and 64. They will

be transitioned into the new plan just approved through this waiver.

The answer to our Nation's health care problems is not the broken status quo of ObamaCare. Indiana has shown, and will continue to show, that reforming traditional Medicaid and offering innovative health care solutions is the right way to empower individual citizens as they seek access to quality health care. Once again, Indiana is leading the way nationally by creating State-based innovative ideas for governing.

As I serve individuals and Hoosiers here in Washington, I have often turned to what I call the Indiana model as a blueprint for a more efficient and fiscally responsible Federal Government. I developed a legislative roadmap that I call the Indiana Way—a 10-point plan that takes the model of Indiana, which it has put in place and proven over the last 10 years, and the ideas that I have gathered from Hoosiers as I travel about the State—ideas and plans that will make our State and Nation stronger. Innovative and effective solutions put forward in Indiana are what is desperately needed in Washington today to put our country back on a path to economic growth and opportunity.

I congratulate Governor Pence and our State on this terrific news, and I look forward to continuing to highlight Hoosier's success stories and the Indiana way.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I wish to acknowledge my colleague from Alaska, and I appreciate the comments he made this morning in his first speech on the Senate floor and in choosing to clearly focus on the opportunities that we have as a State and the challenges we face.

I do feel it is unfortunate that, as a State, it seems that our largest battle is against our own federal government. How unfortunate is that? I feel very fortunate to have him as a partner here in the Senate as we take on these initiatives that have such impact and are of such import to our State and to how we fit with the other 49 States. We have no shortage of issues to take up when it comes to Federal overreach and the impact it has on our Nation and our State and how we will be able to develop our resources. I look forward to working with the Senator in these different areas.

I do have to comment, given where we are in the discussions here on the Senate floor about the Keystone XL Pipeline and what benefit that infrastructure will provide to this country by way of a resource that will help us with our energy security and truly helps us with our national security, is it not better to receive oil from our friend and our ally Canada than it is from Venezuela? To me these are subjects that should not even merit that level of discussion because it is just common sense.

Yet this President and his administration have taken 6 years to get to a point where they may decide on this issue. It has taken 6 years to decide whether it is in our country's best interest to receive oil from a friend and neighbor rather than from those who would do us ill. And then in a stunning act on Sunday—in one breath—this administration has taken an area that has been identified as the greatest source of oil potential that we have in this country, outside of Prudhoe Bay, with an estimated mean average of 10.3 billion barrels, which could provide 1 million additional barrels a day that would come down the Trans-Alaska Pipeline, which my colleague has talked about, and would help us to provide our Nation with the resource we need and would not only help us from a jobs and energy perspective but also from a security perspective.

On one hand, the President is saying, nope, I think I would rather continue to receive oil from Venezuela and Nigeria and all these other countries, and then on Sunday he just decides to put it off limits—the greatest source of oil we have identified in this country to date.

Just this morning, the President released his 5-year lease-sale plan, which is putting off—not deferring but withdrawing—areas in the Beaufort and the Chukchi, which will limit our opportunity for the 23 billion barrels of potential in the offshore there.

As my colleague has noted, the President has taken off half of the national petroleum reserve—the area we have designated for accessing our oil and gas resources. There is a move underfoot right now where this administration, I believe, is going to make the first production in NPRA and push it to a place where it will be uneconomic.

We have a stunning situation. This administration says they want an all of the above energy policy, except maybe in Alaska. We can't do it in ANWR. We are going to push you off of NPRA, and offshore we are going to make it that much more difficult for you. We are going to put the throttle on Alaska's energy opportunities for this country. We are going to put the throttle on Canada and say: Don't run it through the United States—not down into the gulf coast where we have these refineries.

What is he doing? He is putting our national security at risk with actions such as these.

So when we talk about Keystone XL, this is more than just a pipe or piece of infrastructure crossing the border. We are talking about energy security and national security. Then we have actions from this administration this week that choke off Alaska's energy opportunities. This is why I need my colleague in this fight. Believe me, the Alaska delegation is prepared for it.

It just causes us to wonder why. What are they thinking? What about energy security and national security for this country? We have the potential to be secure. North American energy independence is not a myth. It is real. But we have to have the will to make it happen—we certainly have the resources. We just need the ability, the opportunity to be able to develop them. So get out of the way and let us do that.

My colleague from Washington and I have been working all morning trying to see if we can't identify a series of amendments that we might be able to move to this afternoon. We would like to give colleagues a sense of how we are going to be advancing through these additional amendments, get some additional amendments up pending, and really lay out that process. I think we have had really constructive conversation this morning, and I am encouraged. Obviously, we have a few more issues to work out, but I am hopeful we will be able to announce—hopefully in the short term—a glidepath that will give Members a little more certainty.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:46 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

KEYSTONE XL PIPELINE ACT—Continued

The PRESIDING OFFICER. The Senator from Utah.

GUANTANAMO DETAINEES

Mr. HATCH. Mr. President, today I rise in support of S. 165, which restores many of the terrorist detainee transfer safeguards that were weakened in the fiscal year 2014 National Defense Authorization Act, as well as imposes a 2-year bar on the transfer of detainees to Yemen.

This legislation has been authored by Senator KELLY AYOTTE, one of the Senate's foremost leaders on national security, and its cosponsors include the chairman of the Armed Services Committee, Senator JOHN MCCAIN, and the chairman of the Select Committee on Intelligence, Senator RICHARD BURR, as well as the Senate's preeminent expert on military law, Senator LINDSEY GRAHAM.

I am honored to add my name to the list of Senators who have cosponsored this legislation.

Mr. President, the effect of this legislation is to preserve the ability of the

United States to detain at our facilities at Guantanamo Bay members of Al Qaeda and the Taliban—the organizations responsible for the terrorist attacks of September 11, 2001.

Why is keeping Guantanamo open so important?

Simply put, Guantanamo affords our military a safe and secure location to detain those individuals held under the law of war or for violations of the law of war.

If an enemy combatant is captured during an armed conflict, that individual can be held under the law of war. It is a generally accepted legal principle, affirmed repeatedly by the Supreme Court, that enemy combatants can be held at least until a conflict is concluded.

If an individual is held for a violation of the laws of war, that means they are being detained until they can be prosecuted for a war crime they are alleged to have committed.

The detainee population of Guantanamo contains battle-hardened terrorists. Indeed, the threat they pose is amply demonstrated since 29 percent of Guantanamo detainees released so far are confirmed or suspected of rejoining the fight against the United States.

Now, Mr. President, Cliff Sloan, who was the State Department's envoy for closing Guantanamo Bay, recently wrote in a New York Times editorial that this nearly 30 percent recidivism rate was ''deeply flawed.'' It appears Mr. Sloan only wants the Congress and the American people to consider the confirmed rate rather than the combined confirmed and suspected recidivism rate.

Mr. President, if Congress and the American people are truly to understand the risks inherent in this administration's insistence on releasing Guantanamo Bay detainees, we must consider this combined number. How can that be deeply flawed?

Mr. Sloan goes on to state that the level of recidivism is much lower since 2009. However, this lower rate, if accurate, undoubtedly does not include the five senior Taliban leaders who were illegally released to Qatar and whose 1-year travel ban is about to expire. Unless the Qatari Government prevents it, soon these terrorists will be free to go wherever they wish.

I am also concerned that this new number might not fully incorporate the activities and future actions of those detainees who have been transferred in recent months. One of the major advantages of locating our detention operations at Guantanamo Bay is that it is well-settled law that the United States can hold individuals held under the law of war or for violations of the law of war at our facilities there.

Now, I personally believe current Supreme Court precedent would enable us to hold both law of war and violations of law of war detainees in the United States. However, if these detainees are moved into the United States, every attorney representing detainees would rush to federal court and file new lawsuits seeking their clients' release. Indeed, there exists a very real possibility that a court might release a detainee into the United States, especially in light of the Obama administration's unwillingness, in some cases, to defend against detainees' habeas petitions to the fullest extent. As such, the risks of transferring these detainees into the United States are great.

Guantanamo Bay also affords us a much better environment to bring and hold newly apprehended terrorists. Inside the United States, the Supreme Court has mandated that criminal suspects be read their rights—including their right to remain silent and right to a lawyer—subject to only a narrow public safety exception. Such limits on interrogations severely hinder our ability to gather information from captured terrorists, who have time and again proven to be the source of vital intelligence.

Consider, for example, how officials were only able to interrogate the Boston Marathon bomber for just 16 hours before he was read his rights and immediately stopped cooperating. As one of the longest serving members ever of the Intelligence Committee, I can assure you that it takes far longer to gather all of the important information we can from most terrorists.

Moving detainees into the United States also presents serious domestic security concerns. A number of terrorist groups such as Al Qaeda in the Arabian Peninsula have become quite adept at jailbreaks. Bringing a concentration of terrorist detainees into the United States therefore could create a particularly appealing target in the homeland for jihadist radicals, whereas at Guantanamo Bay they are essentially isolated in a facility well secured by the U.S. military.

Clearly there are ample and compelling legal and national security reasons to maintain our detention operations at Guantanamo Bay. That is why Senator AYOTTE's legislation is so important. It ensures we will continue to use this vital facility by restoring the transfer restrictions that have enabled us to keep these individuals in such a secure location.

A little over a year ago, there was a profound change in the laws governing the transfer of Guantanamo detainees overseas. Before fiscal year 2014 legislation, the Congress had repeatedly enacted provisions in the annual Defense Authorization Act which all but prevented the transfer of Guantanamo detainees.

Specifically, these previous laws required the Secretary of Defense to certify in writing, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that certain criteria had been met before the transfer of a detainee abroad could occur—in particular, that the foreign entity receiving a detainee has ''taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States'' as well as ''taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure the individual cannot engage or reengage in any terrorist activity.''

Despite this, with few exceptions, the law prohibited the transfer of detainees to countries to which detainees had previously been transferred and subsequently reengaged in terrorism. Yet the law did afford the Secretary of Defense a national security waiver that negated the requirements if other standards were met.

So the bottom line here is that under the old law it was very difficult—as it should be—to transfer Guantanamo Bay detainees overseas.

But the Obama administration, bent on an ideological crusade to empty Guantanamo no matter the cost, successfully lobbied to relax these restrictions in the Fiscal Year 2014 Defense Authorization Act. The newly weakened provisions permitted the transfer of detainees overseas as long as the Secretary of Defense determined that ''the individual is no longer a threat to the national security of the United States.'' This is, of course, a lesser standard than requiring a certification that the individual cannot threaten the United States or reengage in terrorist activity.

In addition, under the Fiscal Year 2014 law, the Secretary could even authorize the transfer of a detainee as long as the Secretary determined the transfer was in the interest of the United States and action had been or was to be taken which will substantially mitigate the chance of recidivism.

While the statute does require the Secretary of Defense to take into consideration a number of factors before making this decision, the reality of the new regime is that the Secretary has far more ability to transfer detainees overseas.

The Obama administration quickly seized on this new power. In the past year the number of Guantanamo Bay detainees has been decreased from 155 to 122. And despite this new transfer authority, the Obama administration had the audacity to violate even the relaxed transfer restrictions less than 6 months after the law's enactment—specifically by transferring five senior Taliban commanders to Qatar without providing Congress 30 days of notification. Since then, the administration, after a brief lull, has continued and even increased the pace of detainees being transferred overseas.

These deeply troubling moves by the Obama administration demonstrate the vital importance of Senator AYOTTE's bill. It restores the previous transfer restrictions. Specifically, it requires the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, to certify that certain safeguards are in place and that threat of recidivism is very small before a transfer can be undertaken.

Furthermore, this legislation also places a 2-year ban on the transfer of detainees to Yemen. This restriction is especially important because approximately half of the remaining detainees at Guantanamo are from Yemen.

Yemen is one of our most critical partners in the fight against terror, and we cooperate closely with the Yemeni Government in the fight against Al Qaeda in the Arabian Peninsula. But because of the presence of this menacing group within Yemen's borders, the security situation there is dire, and it seems to be deteriorating as we speak.

Just last week the Houthi, a Shia rebel group, seized control of Yemen's Presidential palace, forcing the resignation of the President, Prime Minister, and Cabinet. In December of 2013 AQAP launched a well-coordinated assault on the Yemeni Ministry of Defense that left 52 dead, not to mention a number of jailbreaks from the Yemeni correctional facilities in which, according to press reports, numerous members of AQAP were freed.

The unvarnished truth is that it will take many years and much effort to bring about the security improvements in Yemen needed before we can be confident that detainees returned there will not return to the battlefield. That is why this section of Senator AYOTTE's legislation is so important.

Our policies must be based on defeating the real threats facing our Nation, not pacifying the ideological passions of an extreme few, which is why I was so disappointed by another recent New York Times editorial about this legislation. The Times called Senator AYOTTE ''opportunistic,'' if you can believe that, for citing the very real threat of a Paris-style attack on the homeland and termed her description of Yemen as ''the wild, wild West,'' as ''odd.'' I cannot imagine a better way to describe the disturbing security situation in Yemen. And based on years of evidence, one can only conclude Senator AYOTTE is right. Frankly, I believe the New York Times owes Senator AYOTTE an apology, and I hope they will be big enough to do that.

We need this legislation because it restores proper protections from the threats posed by released detainees. I hope the rest of my colleagues will join me in supporting this legislation.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I would like to make a statement about the Keystone XL Pipeline. This first came before this body some 4 years ago. I said at the time that the pipeline was a good idea. Why? Because it would create construction jobs. It would reduce America's reliance on Middle Eastern oil for our energy. I said also that the pipeline must be built right. What does that mean? It means two things. First, Keystone must be built to the highest of safety standards. That only makes sense. And we must have respect for private property rights when that pipeline is built.

Just like everything else in Washington, the Keystone was eventually made into a political football, and it has dragged on for 4 years. It has taken on a life of its own. And to be straight and level with you, folks on both sides of the aisle have turned it into something much bigger than it really is.

At the start of the 114th Congress, I was hopeful that there would be enough momentum behind the pipeline to finally get it done and begin construction. But since the swearing-in ceremony 3 weeks ago, my faith in our ability to have a deliberative debate has been shaken. Last week's political stunts were simply unacceptable. We can't tell the American people we are going to responsibly govern when in fact we stopped Senators from even speaking on the floor about amendments they have offered.

The majority decried these kinds of practices last Congress. Many of us agreed. But to start with these kinds of actions in the new Congress is discouraging, to say the least. I hope this week we can have an open debate, make this bill better, pick up a few more votes, and finally approve the Keystone Pipeline for building.

Ten days ago an oil pipeline burst in eastern Indiana. It spilled about 40,000 gallons of oil into and around the Yellowstone River. Six thousand residents in Dawson County, MT, had their water cut off for 5 days after oil got into the local water treatment plant. Cleanup crews are slowly making progress removing oil from an ice-covered river.

This oilspill was unacceptable. What is worse, it was completely preventible. The pipeline that burst last week was nearly 60 years old. It had not been inspected in at least 2 years. Pipelines, just like roads and bridges and railroads, get old and they wear out. If we want pipelines to operate properly, they need to be regularly inspected and upgraded.

In December, during the lameduck, Congress plussed up the budget for PHMSA—the agency that does pipeline inspections—giving PHMSA the resources to hire more than 100 pipeline safety inspectors. It is clear we need to get these folks hired, trained, and working on the ground. We also need to look at how PHMSA spends those dollars and whether resources are adequate to inspect the Nation's 2.6 million miles of pipeline.

Despite the criticisms, pipelines are still the safest way to transport oil. We have seen the headlines—we have all seen them—in recent years of oil trains exploding, trucks running off the road that carry oil.

In 2013, one explosion in Canada leveled an entire town. It killed 47 people. Months later, another oil train traveling in North Dakota burst into flames and caused an entire town to evacuate.

In northwestern Montana, the resort town of Whitefish is situated a few miles west of Glacier National Park. The town is home to a world-class ski hill and one of the world's most pristine lakes. Every day oil tank cars run past Whitefish Lake carrying thousands of gallons of oil. The environmental impact of an explosion or spill on that railroad would devastate that lake, and it would devastate that region, its water supply, and have serious impacts on the State's economy.

In fact, in 1989, a freight train derailed as it was circling Whitefish Lake and four cars slid into the water and leaked out some fuel. Twenty-three years later—just 2 years ago—they finally finished the cleanup. Imagine if those cars were carrying crude as they do today.

Pipelines are the fastest way to transport oil. Until this body can agree that climate change is real and start making smart investments in alternative energy sources, our economy still needs traditional ways.

I have said many times I still power my farm equipment with diesel fuel. I don't have any options. So it is clear to me we need a way to transport oil, and Keystone is that way. And, yes, in Montana, it will create jobs. According to the State Department's analysis, construction of the pipeline would create 3,700 jobs. Over $700 million worth of construction materials and support costs would come to eastern Montana. That is not to mention the tax base that would be increased. But safety must come first. We need the best materials; we need more inspections. We simply cannot afford another spill.

Finally, I want to talk about eminent domain. Everyone in this body should agree that a foreign corporation should not be allowed to seize private property here in America. That is a fact. Unfortunately, we couldn't agree on that last Thursday. There was an amendment offered by Senator MENENDEZ stating that TransCanada can only acquire land from willing sellers. But there are Members of the U.S. Senate who put profits of a foreign corporation above the constitutional rights of American citizens. If someone had told me in January of 2007, when I was first sworn in, that my colleagues would one day vote against such an amendment, I simply would not have believed it, but that is exactly what happened. I am disappointed that amendment failed, but I do believe we can improve upon this bill by including commonsense reporting requirements that would ensure this pipeline is built in a transparent way.

Senator CARDIN has an amendment to do just that, and I for one support it. Private property rights should not be a partisan issue, and I would hope my colleagues would join me in supporting this measure. Let's not race to cloture. Let's not race to trample private property rights of Americans. Let's get this bill passed, and let's do it in the right way.

This pipeline is not a long-term solution for our energy problems, but it is one piece of the puzzle. We must make meaningful investments in research and development so we can make carbon-neutral energy sources more accessible and affordable. Until we do that,

the reality is that this economy still runs on oil.

This pipeline helps get us to the next step. I still believe in this pipeline. I believe Keystone can boost our energy independence and will create jobs in the short term and over the long haul, but we need to debate this bill. We need a chance to make it better, to make the pipelines safer, and send a message to the American people we are serious about investing in our long-term energy future. If we don't do that, we won't build the Keystone.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I would like to speak about the Keystone XL Pipeline. At the outset this Senator wants to say the conclusion of this Senator is that this is much more about politics than it is about energy policy, than it is about the economy of this country, particularly so since the price of oil has gone from something in excess of $100 a barrel down to the range of $46 a barrel.

Likewise, the fact that the United States is now the No. 1 producer of oil in the world—in large part because of our brethren and sistren in the Senate who represent those Northern Plains States as well as the Southwestern States where they are producing all of this newly found oil from the shale rock which has strengthened the economic position of our country. Think about it, No. 1 producer in the world. That is us. As a result, we do not have to be nearly as dependent on the Middle East, from where we used to get at least 50, 60 percent of our oil or from other areas such as Nigeria or Venezuela.

I have just mentioned three very unstable parts of the world. Yet that is the position we have been in, but that has changed. It is now the 21st century. As a result of new technologies, we are the No. 1 producer of oil in the world. So back when we were not, when we were still dependent on foreign oil, there was a discovery in Canada—Western Canada—the ability to extract oil from the heavy tar in these tar sands.

The Canadians wanted an outlet for that. It made it much more appealing to us, to the United States back then, when oil was over $100 a barrel and we were still importing a lot of it from abroad. But interestingly, the Canadians wanted and suggested a pipeline that would come right through the middle of the United States, from the north in Canada, through the middle of the United States, down to the gulf coast, to the refineries.

Why didn't they go west from the western States of Canada to the Pacific to have an outlet? They had to cross the Rocky Mountains. Of course that was going to be expensive. It was also going to roil up a bunch of the Canadian environmentalists. So the idea of the Keystone XL was born.

What does XL stand for? Extra large. Well, if it was extra large, it implies there is an existing pipeline. Indeed there is. I want to show it to you. This orange line is an existing pipeline coming from Alberta, northeast of Calgary, across Saskatchewan into Manitoba, and then it comes down through North Dakota, South Dakota, eastern Nebraska, and there it forks right at the Kansas line. One line goes east all the way into Illinois, and the other line goes south through Kansas into Oklahoma.

I said at the outset this is much more about politics as opposed to energy policy, as well as economics because this all heated up—XL, extra large—during the last Presidential election. Of course those who raise this issue were trying to say: Unless you embrace this XL you are against the United States being energy independent.

Well, an interesting thing happened along the way. From Cushing, OK, there was no line directly going to the gulf coast, where the refineries are in Houston and Port Arthur. The President approved that. That has been constructed. I am advised that has just opened in the last few days—so the existing line, all the way from Alberta, Canada, through the heartland of America, all the way to the gulf coast. That is that.

But XL, extra large, to carry more oil, was proposed. The route that is now proposed is here. That looks like it makes sense because it cuts off the dogleg and does a straight line. But originally it had come much further to the west, right over the environmentally sensitive lands of the aquifer in central Nebraska where so much of the water resources for the entire Midwestern United States come from.

This Senator said, back in the Presidential election of 2012: If you really want a bigger pipeline and you want to avoid all of the controversy over the environment, which this proposed route certainly has since it is extra large, why do you not just run it along the existing pipeline? The right of way is already there. Indeed, it is now complete all the way to the gulf coast. Why do you not run it just right along and you would have a lot less opposition?

But no. This Senator comes back to his main point: This is all about politics. It is all about trying to make some look as though they are anti-energy and others look as though they are pro-energy. But it is what it is. It is 2 years later, and here we are.

The proposal is to still come across parts of Montana, South Dakota, further east in Nebraska, and join with the existing pipeline. So what is confronting a Senator such as this who certainly wants us to be energy independent? Well, then, if we are going to have additional oil supplies as a backup, maybe that would be a good consideration. So let's make sure this new source of foreign oil—that we have a chance to use it in this country, since it is going to come right down the middle of America.

No. No. No can do. This foreign oil, for those who are proposing what we are about to vote on, is going right down the gullet of America, right down the middle of America to the gulf coast, and it is going to be exported to foreign countries. So a little old country boy such as I wonders: Now, wait. Let me get this straight. You want foreign oil to build a big oil pipeline to run right through the middle of America as a conduit to send right out to other foreign countries and not be utilized in this country?

Sadly, the answer to that is yes. That is what we are confronting. We had an amendment that Canada could not export it. We could use it here for American purposes. But sadly that amendment was defeated by the purists who want it to be exactly as they want it to be, a tool of foreign oil to send through the middle of America in a conduit to other foreign nations.

This Senator does not think that is in the interests of this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I come first of all in celebration, in celebration that the Senate is finally working again. In just 27 days we have seen more amendments voted on on the floor of the Senate than under the Democratic majority in the entire year of 2014. We once again have a Senate where Republicans and Democrats can offer their amendments, can debate their amendments, and can vote them up or down.

One of the resounding consequences of the election in November is the American people were tired of the Democratic do-nothing Senate. We have a Senate that has shown up to work.

The bill we are voting on, the underlying bill, is an example of what the priorities should be in the Senate. The Keystone Pipeline bill ought to be a no-brainer. It ought to be an example of bipartisan cooperation.

Indeed, one of the very first things I did 2 years ago when I was newly elected to this body was join with 10 Senators, 5 Democrats and 5 Republicans, in sending a bipartisan letter to the President saying approve the Keystone Pipeline now.

Why? No. 1, it will produce jobs, tens of thousands of high-paying jobs. No. 2, it will increase tax revenue. It will increase revenue for the Federal Government, for State and local governments. That revenue can be used to pay down our national debt to provide for our vital needs.

No. 3, it will enhance our national security by allowing us to move toward North American energy independence

rather than being dependent on foreign nations for oil, nations whose interests are very different and sometimes hostile to our own.

No. 4, building the Keystone Pipeline is unequivocally better for the environment.

Indeed, I have joked: If you are a bearded, tattooed, Birkenstock-wearing, tree-hugging, Green Peace activist, you should love the Keystone Pipeline, because if the pipeline is not built, it means we will continue to bring our oil in on overseas tankers and on rail, both of which are far more dangerous for the environment than a pipeline, both of which we know to a certainty that as long as there are tankers on the oceans there will be spills, as long as there is rail there will be spills.

Moreover, if the pipeline is not built north-south, it is not as though our friends the Canadians are simply going to leave the oil where it is, they are going to build the pipeline east-west, and instead of allowing it to be refined in America where it produces high-paying jobs here up and down the gulf coast, the alternative is it would be refined in Asia and China in far dirtier refineries that pollute the environment even more.

So this ought to be a no-brainer. This ought to be an example of where Republicans and Democrats come together in agreement. But, sadly, it is not, and it is not because the modern Democratic Party has made a decision between two traditionally favored children of the Democratic Party. The modern Democratic Party has made a decision that they care more about the campaign donations from California environmentalist billionaires than they do about the jobs for union members.

I suggest that the 100 Senators who are elected to the Senate ought to be fighting for the hard-working men and women. We ought to be fighting for the union members, for all of the men and women who want good, decent-paying jobs, who want to provide for their kids, and who are tired of the stagnation of the Obama economy.

Only last week we heard the President give his State of the Union Address, where he talked about how swimmingly the economy is going.

Well, you know, he was right. If you happen to be one of those California environmentalist billionaires, if you happen to be in the top 1 percent—the millionaires and billionaires whom the President demagogues—then you have indeed become richer under President Obama.

Today the top 1 percent earn a higher share of our economy than in any year since 1928. Those who walk the corridors of power in the Obama administration have gotten fat and happy.

Yet for working men and women, union members, their lives have gotten harder and harder and harder. We have, today, the lowest labor-force participation since 1978. Median income in this country has stagnated for two decades.

Yet what is the Democratic Party doing? Marshalling every vote it can to vote against union members, to vote against hard-working men and women, to stand with the big dollars coming out of California. What a sad, sad statement of priorities that is.

So let me commend majority leader MITCH MCCONNELL for bringing up an open process, allowing Democrats amendments. I would be happy to vote on Democratic amendments all day long and Republican amendments on the merit. Let me commend the majority as well for focusing on the issues that matter to the American people—namely, bringing back jobs and economic growth and opportunity.

Now, in the course of this open amendment proceeding, I have submitted three different amendments. One would get rid of the longstanding anachronistic ban on exporting crude oil that was put in place in the 1970s. It makes no sense in the current environment and is hurting jobs and economic growth.

A second would obviate the need for having this fight every time a cross-border pipeline was built. It would streamline the process for building pipelines so we could move ahead with economic growth.

Both of those amendments, I believe, are sound policy. I think they are supported by the interests of Americans across this country.

After long conversations with my friends and colleagues, Senator MURKOWSKI and Senator HOEVEN, we have agreed that we are going to have committee hearings in the coming months focusing on both of those issues, laying out the facts and the data to make clear that these are unambiguously good—whether you are a Republican or a Democrat or an Independent or a Libertarian—if you want jobs and economic growth. These reforms are sound reforms to bring back jobs, economic growth, and opportunity.

AMENDMENT NO. 15

The third amendment I have submitted, which I am hopeful we will vote on either today or tomorrow, is an amendment to expedite exports of liquid natural gas. That is what I wish to speak about for just a few minutes.

The amendment that I am presenting will expedite LNG exports to World Trade Organization members, removing unnecessary delays that have been caused by the arbitrary Department of Energy approval process.

Currently, countries under free-trade agreements with the United States enjoy a streamlined, expedited approval process to import our LNG. For projects to FTA countries, current law deems those ''in the public interest'' and they get a permit ''without modification or delay.''

Yet those without such an agreement must, instead, submit to an arduous case-by-case nonstandardized process that ends up discouraging LNG trade and related investments. It ends up killing jobs.

For projects to non-FTA countries, right now there are no time limits and no standardized process by which the Department of Energy determines whether or not the project is ''in the public interest'' for receiving a permit. The amendment I have offered would open the doors of trade to more than 160 countries in the World Trade Organization to receive this same expedited treatment that we currently have in place for free-trade countries.

This is particularly important not only for economic development, not only for jobs, not only for growth but also for the enormous geopolitical advantages that it will present to the United States.

In the past several years we have seen the consequences of the Obama-Clinton foreign policy. We have seen the United States receding from leadership in the world, and we have seen other nations—foreign nations—step into that void and use energy as a weapon, as a cudgel—whether it is Venezuela or Iran or Russia.

Allowing expedited LNG exports strengthens our hands against those who would be enemies of America, and it strengthens the hands of our friends and allies. Here at home, according to a 2013 study, in the United States LNG exports could create up to 450,000 new jobs by 2035.

So we will see, when Republicans and Democrats vote on this amendment, where each Senator stands on whether we should allow the private sector to create up to 450,000 new jobs. Every Democrat who votes no can expect to go back to his or her State and face constituents—face the union members who would like to get some of those 450,000 new jobs—and explain why he or she voted against that hard-working man or woman having a job.

Over the same time, GDP growth could generate anywhere from an additional $15.6 billion up to $73.6 billion. By 2035 the net gain in manufacturing jobs could mean up to 76,000 new jobs. A lot of the Members of this body like to talk about manufacturing, like to talk about the steel industry, the car industry. It used to be that the backbone of the American middle class was the blue-collar jobs where you could work with dignity, where you could provide for your family, and where you could provide for your kids.

Every Senator who votes no to LNG exports because they want to continue receiving money from the California billionaires had better be prepared to return home to their States, look into the eyes of the manufacturing workers, and explain why he or she voted against 76,000 new manufacturing jobs.

Geopolitically, let's take Ukraine. All of us sat not long ago in the House of Representatives for a joint session when the President of Ukraine addressed us both. We stood over and over—standing, quite literally, alongside Ukraine. If we want action to match those words, then every Senator should vote yes on this amendment.

Ukraine currently relies on natural gas for 40 percent of its energy needs. More than 60 percent of the natural gas that Ukraine gets and depends on comes from Russia, and Russia uses that natural gas as a club to extract economic blackmail on Ukraine.

Last spring I traveled to Ukraine, Poland, and Estonia. As I visited with leaders throughout Europe, these friends of ours said over and over: Help us free ourselves from energy blackmail from Russia.

As of today, the Department of Energy has approved nine export permits to non-free-trade agreement countries within the past 2 years. Twenty-eight applications are currently pending stacked up on the desk, going nowhere.

The increased energy production from allowing us to export the resources we have to friends and allies who want and need it would spur investment and create thousands of jobs for America. It would be a boon to countries such as Ukraine. It would be a boon to Europe, and it would be a boon to the Baltics, which are watching what is happening in Ukraine and wondering: Are we next? It would be a boon to friends of ours, such as Germany, who likewise depend on Russia for significant energy needs.

Today this body faces a pivotal question. Will we lead the world into a new generation of American prosperity and energy prosperity led by the American energy renaissance we are experiencing or will we instead shut off our borders, erect walls, and allow our friends and allies to be dependent on tyrants such as Putin or Maduro.

We need to come together in a bipartisan manner to say we support jobs, we support economic growth, and we support standing united alongside our friends and allies in defense of freedom.

I urge my colleagues, both Republicans and Democrats, to support this amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Texas.

JUSTICE FOR VICTIMS OF TRAFFICKING ACT

Mr. CORNYN. Mr. President, as we all know, there is a big game this weekend, and I wouldn't be surprised if our friends from Washington and from the New England area find themselves a little bit distracted beyond the ''snowpocalypse,'' I guess they call it, all the big snowstorms.

In anticipation of the big game, I am told that 100 million Americans will actually tune in to the Super Bowl this weekend. And here is a shocking statistic. Some 1.25 billion chicken wings will be consumed—1.25 billion chicken wings—and, of course, millions of pizzas, celebrating what has, of course, become in many ways an unofficial American holiday. I am still stuck on the 1.25 billion chicken wings.

Well, while many of us will tune in to cheer our favorite team in the Super Bowl, unfortunately—and what I am on the floor to talk about—there is the dark underbelly of events such as the Super Bowl that don't get the attention they really deserve. Most of us would, perhaps, prefer to avert our gaze or think about other, more pleasant, positive things, but what I want to talk about briefly is the practice of human trafficking.

When many people hear about human trafficking, they think about something that doesn't happen in America; it happens somewhere else. They might envision brothels in foreign cities or girls being smuggled across other borders. But the sad reality is human trafficking is a problem all across the United States and at all times of the year. But it is especially a problem surrounding big, public events such as the Super Bowl.

Yes, human trafficking is happening in our own backyard, and more than 80 percent of sex trafficking victims in America are U.S. citizens. They are not some person who has been brought to the United States from some foreign country. Eighty percent are U.S. citizens.

As the father of two daughters, one of the most disturbing facts is that the average age of a child who first becomes a victim of sex trafficking is 13 years old.

As I said, recent years have shown an uptick in human trafficking surrounding large events such as the Super Bowl. For example, in Dallas a few years ago, there was a 300-percent increase in sex-for-sale Internet ads. That was in 2011, of course. In 2012, in Indianapolis, police made 68 commercial sex arrests and recovered two human trafficking victims.

One of the worst problems associated with human trafficking is that many of the victims don't actually consider themselves victims yet because they are so young and so vulnerable that they don't actually realize they are being used and their future is literally being destroyed.

In 2013, in New Orleans, police made 85 arrests for suspected human trafficking. Of course, this year the Super Bowl is in Phoenix, and no doubt law enforcement in Phoenix will have a vigilant eye in an effort to identify and crack down on the perpetrators. But the truth is most of this is happening right under our nose and we don't even see it.

We know the police are doing the best they can, but it won't be enough—it won't be enough—to stop each one of these crimes. Indeed, staggering numbers of these crimes will continue to be committed. The Super Bowl will be done and gone next Sunday, but after the confetti is cleared from the field and the fans catch their flights home, the work to end this heinous crime known as human trafficking will continue.

As a matter of fact, January is National Slavery and Human Trafficking Prevention Month. Human trafficking is a form of human slavery. We thought that was eliminated from our history following the terrible Civil War that took the lives of 600,000 Americans. If you extrapolate the Civil War to today, in terms of population, that would be 3 million Americans who gave their lives. We had the Civil War in large part because of the bane and the scourge of slavery, but the truth is human slavery still exists in the form of sex trafficking.

Awareness is important. As we are driving around our city streets—particularly people driving around in Phoenix this weekend—we may actually see some underage girls or others who are actually victims of this crime, and so we need to be vigilant. We need to do what we can to be the eyes and ears of law enforcement and to call in suspicious circumstances. We simply need to do everything we can to stop human trafficking by all means necessary.

This is something that strikes close to home, in Texas, where I come from. Sadly, Texas, in part because of our proximity to the U.S.-Mexican border, sees more human trafficking than many other States. One out of 10 tips received by the National Human Trafficking Resource Center in 2013 involved incidents occurring in Texas—1 out of every 10 tips. And Texas reported more than 1,000 suspected human trafficking incidents in 2007.

So this is a big challenge and a big problem, and it is not going away. According to law enforcement authorities, sex trafficking is the fastest growing business of organized crime and the third largest criminal enterprise in the world.

And here is something I really don't understand. When we talk about the criminal organizations—the transnational criminal organizations that smuggle people across the border—most recently in the context of these unaccompanied minor children who came from Central America whose parents paid human smugglers—the cartels, really—let's say $5,000 apiece, these parents have no knowledge of what will happen to their children once they turn them over to these cartel members. Indeed, these criminal organizations are engaged in the money business, anything that will make a buck. They will traffic in children, they will smuggle immigrants, they will smuggle drugs.

With regard to these same criminal organizations, somehow, some way, we tend to compartmentalize our brains and say: Well, sex trafficking is different from illegal immigration and smuggling. But it is not. It has the same corridors funded by the same people and operated by the same transnational criminal organizations.

Now, back to sex trafficking after that parenthetical comment. This is one of those bipartisan subjects where there has been a lot of good work by Members on both sides of the aisle, and one of the things we have needed the most is to have the help of many nongovernmental organizations—these are faith-based organizations, these are

local community organizations—that are designed to help victims of human trafficking escape, with the aid of law enforcement, and then somehow helping victims to rebuild their lives.

Earlier this month, I partnered with the Senator from Oregon, Mr. WYDEN, Senator KLOBUCHAR from Minnesota, and Senator KIRK of Illinois to introduce a bill we call the Justice For Victims of Trafficking Act of 2015. I have talked to the chairman of the Judiciary Committee, Senator GRASSLEY, and have urged him to give this bill an early markup in the Judiciary Committee so it will be eligible to come to the floor as soon as we can get it here, because I am going to be asking the majority leader to schedule floor action so we can have a debate and a vote on this important legislation.

What does the legislation do? It provides additional funds for human trafficking support victims, with tens of millions of dollars of additional funds each year, and it would be financed entirely by criminal fines and fees. This wouldn't be tax dollars, this would be taking basically the fines and the fees paid by people who plead or are convicted of other crimes and putting those funds into a crime victims fund that could be used to help these organizations—these human-trafficking victims support programs.

Again, this legislation would be financed entirely by fines on predators convicted of child pornography, human trafficking, child exploitation, and commercial human smuggling.

This legislation would also assure that victims would have greater access to restitution by requiring the Department of Justice to use criminally forfeited assets to compensate them through a process known as victim restoration.

It is no secret the victims of this terrible crime end up with a lot of psychological baggage and other challenges. We need to help them get on with their lives and to address the terrible things they have experienced.

This legislation would also enhance law enforcement tools to target both sophisticated criminal networks that engage in human trafficking and the predators who increase demand for sex slavery by purchasing innocent children.

This bill now has 20 bipartisan cosponsors. So don't believe the cynics who say that nothing happens up here on a bipartisan basis. It is just not true. There are some things—and this is one of them, and perhaps one of the most important things—that happen on a bipartisan basis.

The good news is the House of Representatives is voting on companion legislation today, so this legislation should be ready for Senate action, I hope, soon. I hope we can work with our House colleagues and get it to the President as soon as we possibly can.

The bottom line is we need to take a stand against this modern-day slavery and lift up the victims of these crimes whoever and wherever they may be. Again, this is obviously not a political issue. This is something we have the power to address and we must take action to combat this human trafficking all around the world, and the place to start is in our own back yard.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, let me first commend my colleague from Texas. We sit on opposite sides of the aisle, but there are many things that bring us together, and I certainly support what he has said about the impact of human trafficking.

In a hearing before the subcommittee on the Constitution, which he now chairs, during this session of Congress, we brought in law enforcement victims and talked about some of the outrageous things which are occurring in exploiting young people, particularly young women. One of the points which my colleague has made, and I have listened carefully, is that we should consider these human trafficking victims as victims.

Many times, sadly in the past, they have been prosecuted as if they were complicit, and many times they are children. They have no knowledge of their rights or obligations and are being exploited and, as a consequence, they are very reluctant to cooperate with law enforcement if they feel they too might end up in jail, having been victimized twice in the process.

I thank him for his leadership and I look forward to looking closely at his legislation and I hope we can work closely together on that.

AMENDMENT NO. 67

Mr. President, I want to speak briefly about a pending amendment which troubles me. I don't know if there will be much time for debate should we actually consider this amendment, and I want to make my feelings a matter of public record.

This is amendment No. 67 offered by Senator SULLIVAN. This amendment would require—would require—the disarming of Federal law enforcement officers who work for the Environmental Protection Agency.

There are currently about 180 law enforcement agents working for the Environmental Protection Agency. They are trained professional officers and are tasked with investigating and enforcing our Nation's environmental laws. They conduct investigations, execute warrants, and make arrests for misdemeanors and felonies under the laws of the Environmental Protection Agency.

This is law enforcement work and it is dangerous work. Many times these officers face the same threats as all law enforcement officers face. According to the Bureau of Justice statistics, there are 73 Federal agencies with law enforcement officers, ranging from the FBI to the Food and Drug Administration and NASA.

EPA's criminal investigators were given law enforcement powers in a law signed by President Reagan in 1988. President Reagan stated his administration actively sought this authority and he was pleased to sign it into law.

The amendment No. 67 of Senator SULLIVAN would prevent these EPA law enforcement officers from being armed while they are carrying out their law enforcement responsibilities. A lot of what these EPA agents do is to investigate suspected cases of illegal dumping of hazardous materials. This can lead to dangerous confrontations. The EPA reports its agents have frequently encountered weapons and armed individuals when they have conducted their work.

I took a look at some of these cases. Many people mistakenly believe the Environmental Protection Agency is a group of government employees sitting behind desks and computers in Washington and regional offices who don't get out and about to see the actual violations that are taking place. They are mistaken.

Let me give a few examples for the record. In Marathon, FL, EPA special agents, along with local sheriff's deputies, shot and arrested Larkin Baggett, a Federal fugitive from Utah, after he pointed an assault rifle at them. Baggett was initially arrested by the EPA on pollution-related crimes in the State of Utah. During the initial arrest of Mr. Baggett, a knife and handgun were recovered off his person. Mr. Baggett was considered armed and dangerous due to the amount of firepower he had in his possession.

Firearms recovered from Mr. Baggett included an AR–10 assault rival, a 12-gauge shotgun, several rifles and handguns, and hundreds of rounds of ammunition. Mr. Baggett was ultimately sentenced to 13 years in prison for his assault conviction and his environmental crimes conviction.

The Sullivan amendment would say the environmental officer who was trying to arrest this man had to be disarmed. In other words, the environmental law enforcement officer would have no firearm while Mr. Baggett would be holding an arsenal. That is what the Sullivan amendment would do.

During a Mississippi search warrant, seven handguns and a sawed-off pistol-grip shotgun were secured during the warrant. During that same warrant, two handguns were removed from the sweatshirt pocket and hip holster from one subject. Another handgun was removed from the purse of another subject. The sawed-off pistol-grip shotgun was found stored in the cavity of a desk where a drawer was removed and the weapon was pointed directly at the agents of the Environmental Protection Agency when they entered.

If you read the amendment offered by Senator SULLIVAN, he has removed the ability and right of these agents to be armed to protect themselves and to enforce the law, but he continues to require them to do the most basic things under the law. He requires them—continues to require them—to execute and

serve any warrant or other process unarmed. He continues to require them under the statute to make arrests without warrant for any offense against the United States, including felonies. Under the Sullivan amendment they are to do so unarmed.

I can go through a lengthy list here of real-life circumstances where people working for the Environmental Protection Agency literally risked their lives, and they did it at least with the comfort of being trained professional law enforcement officers equipped with firearms to protect themselves and enforce the laws of the United States.

Senator SULLIVAN wants them to enforce the laws, but he doesn't want them to carry a firearm. That to me is ridiculous. In fact, it is dangerous. It is dangerous to send these men and women with the responsibility of doing their job into circumstances where they could literally lose their lives because of the Sullivan amendment.

I ask unanimous consent that a letter dated January 24, 2015, signed by Jon Adler, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION,
Washington, DC, January 24, 2015.

Hon. RICHARD DURBIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR DURBIN: On behalf of the 27,000 members of the Federal Law Enforcement Officers Association (FLEOA), I am writing to express our strong opposition to the misguided ''Keystone'' amendment put forth by Senator Sullivan that calls for the disarming of EPA Criminal Investigators.

EPA-CID currently employs approximately 180 sworn Criminal Investigators, all of whom have completed the mandatory Criminal Investigator Training Program at the Federal Law Enforcement Training Center. These highly trained law enforcement officers complete the same basic academy training as their counterparts at the U.S. Marshals Service, the Secret Service, NCIS, ICE and other credible federal law enforcement agencies. They receive quarterly tactical training to ensure firearms proficiency, defensive tactics capability, and enforcement operation readiness. They should not be denigrated and belittled like some Barney Fife aberration gone wild.

Unfortunately, Senator Sullivan has opted to employ inflammatory language to mischaracterize EPA-CID 's execution of court-issued search warrants as stampede-styled ''raids.'' EPA Criminal Investigators employ proper law enforcement tactics and techniques, while wearing the appropriate protective equipment during field work. They issue proper verbal commands, and do not scream ''Charge!'' like some reckless group of bandits. Contrary to Senator Sullivan's alarmist assertions, EPA Criminal Investigators invoke a proper command presence in order to protect their safety as well as those around them.

While Senator Sullivan seeks to minimize the law enforcement relevance of the EPA-CID mission, it is important to note that the Criminal Investigators enforce the criminal statutes of the United States Code, and investigate alleged violations of the Clean Air Act, the Clean Water Act and the Resource Conservation and Recovery Act. If Senator Sullivan takes exception to a particular statute, he should focus on amending the law and not disarming and jeopardizing the safety of those who risk their lives to enforce it. Furthermore, he should respect the fact that there are criminals who knowingly and willfully harm our environment, and EPA Criminal Investigator's expertise is needed to investigate and apprehend these criminals.

Recent current events, both domestic and abroad, have made clear that terrorist groups are targeting law enforcement officers. In New York City, a lone-wolf terrorist assassinated two heroic NYPD Police Officers. In France, a terrorist cell brutally murdered three law enforcement officers, as well as civilians. So how does Senator Sullivan come to any rational conclusion that it's appropriate to disarm law enforcement officers who are protecting our homeland? Perhaps Senator Sullivan is unaware of terrorists' intent to deploy biological, chemical and radiological weapons to harm our citizenry and institutions? EPA Criminal Investigators are an integral, indispensable component of our homeland defense against such attacks. Does Senator Sullivan maintain in good faith that EPA Criminal Investigators should conduct their criminal investigations unarmed in support of the FBI Joint Terrorist Task Force?

Each cabinet entity has an Inspector General's office that employs highly trained Criminal Investigators to investigate allegations of excessive force or misconduct. This includes the EPA. In reaching his ill-advised conclusion to disarm EPA Criminal Investigators, did Senator Sullivan draw upon any Inspector General report to substantiate his position? While there is no evidence to suggest any widespread incidents of excessive force or misconduct by EPA Criminal Investigators, a reasonable person is left to question the rational motivation of Senator Sullivan's amendment.

In closing, I reference a statement a FLEOA member who serves honorably as a Criminal Investigator with EPA: ''We conduct search warrants, arrest warrants, and interviews which brings us into contact with individuals who may be armed or have access to weapons. There is no way we can accomplish our mission safely without a means to protect ourselves.''

Respectfully submitted,

JON ADLER.

Mr. DURBIN. This letter says it all. It spells out how dangerous this is if the Sullivan amendment passes. To think that, for whatever reason, a U.S. Senator is going to take a firearm away from a law enforcement officer of a Federal agency who is putting his or her life on the line every single day is just plain wrong.

If Senator SULLIVAN wants to take away the enforcement authorities of this Agency, so be it. We can argue and debate that. But to require this Agency to execute warrants and make arrests but require that their law enforcement officials be unarmed is sending them into dangerous—even deadly—situations. This Sullivan amendment is not well-thought-out. To offer this I think is a serious mistake.

The Senator is offering it, he says, because of a 2013 incident in which EPA agents were part of a law enforcement task force that investigated a mining operation in Alaska based on allegations of environmental allegations. I don't know the particulars of that incident, but there was a review of the incident commissioned by the Governor of Alaska—a Republican Governor of Alaska—that found no evidence that these EPA agents broke any laws during the investigation.

Isn't it odd that we have reached the point where, when we try to introduce an amendment which says that you will not sell a gun, a firearm, to someone at a gun show who is on the terrorist suspect list—many argue against that, saying even terrorist suspects have Second Amendment rights—and then turn around with the Sullivan amendment, this ill-advised amendment, and say law enforcement does not have a right to carry a firearm. That is the Sullivan amendment. I hope we vote against it on a bipartisan basis.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to discuss the legislation before this body, the Keystone XL Pipeline Act. I wish to address three issues that have been brought up as we have continued this discussion.

I start out by thanking the Senator from Alaska and the Senator from Washington who are leading this effort to bring forward amendments from both sides of the aisle. I think they are doing great work. They are heavily engaged in trying to make sure the people's amendments are brought forward and that we have a vote. So I thank them for that and again encourage everyone to work with both these bill managers who I believe all of us feel are doing an excellent job. So let's get going. Let's get voting on these amendments. Let's make them pending and have that vote.

This is again, after all, an effort not only to advance this legislation but also to reestablish regular order in this body and move to an open amendment process—which is so important again not just in terms of people being heard on this legislation, having votes on amendments, but for other legislation that Senators want to bring forward for the good of this country, to have the debate, to offer their ideas, to get a vote, and to get things done for the American people. That is what it is all about. We have to keep that in mind and not lose track of that. This is truly about not just this legislation but getting to regular order, which I think is so important for the work we do, to accomplish the work we need to do on behalf of the American people.

Let me touch on three aspects of the current legislation that have been brought up. One is that it is a bill for Canada rather than for the United States. It is something that is very much in the interest of the United States, so I want to address that. I also want to talk about some of the environmental aspects from the standpoint that there are hundreds of millions of dollars being invested in new technologies by major companies in the oil sands in Alberta, Canada, that are going to help deploy and develop things

such as carbon capture and storage, which can be used not only to reduce the environmental footprint and the greenhouse emissions of oil produced in the Canadian oil sands, but that is technology then that will get adopted in this country and around the world because it enables us to produce more energy more cost-effectively, more dependably, and with environmental stewardship. So that is a win on both counts, and here is a place where it is being developed. So let's empower that investment that produces more energy with better environmental stewardship as we go forward into the future.

Then the third area I want to touch on for just a minute is pipeline safety because some of the recent spills have been brought up. It is so important that we have the new infrastructure to replace older infrastructure.

For example, the pipeline spill in Poplar, MO, near Glendive, MO, has been brought up. It is a pipeline that I think was originally built and put in place in the 1950s. So we are talking about a 50-year-old pipeline with 50-year-old technology. Whether it is roads or bridges or pipelines or transmission lines or any kind of infrastructure—we need infrastructure for this country, but we have to update it. Think about building a road 50 years ago and then not putting in a new one to replace and update it with the new technologies that have been developed to make it better.

When we talk about trying to get these new infrastructure projects going—again, paid for 100 percent with private dollars—this generates revenue for the taxpayer. This doesn't take one penny of taxpayer money. This is an $8 billion state-of-the-art pipeline. It is important for all the reasons we have talked about, but it also is the kind of thing that will replace some of the older technologies and give us that updated new infrastructure we need.

So I think when we hear about a spill, wherever it may occur, we want to make sure it is taken care of and fully remediated and take precautions so it doesn't happen again. But we have to understand we have to put the new infrastructure in place if we want to reduce the number of spills we have as we continue to rely on infrastructure that is 50 years old—when we don't make or allow these new investments to be made.

So I will touch on all those for just a few minutes.

Again, I know the bill managers are hard at work. They are having great dialogue. If they come out and are ready to go, I will yield the floor right away to do that. Again, the priority is to keep the process moving and get amendments up and have them voted on.

The first issue: It is a Canadian project somehow, not a U.S. project. The first point I would make, on its face, is it is going to move domestically produced crude as well as Canadian crude. Everybody talks about the fact that it starts up in Hardisty and says it is going to move Canadian oil, and then they stop there. But it is not only going to move Canadian oil, it is going to move oil from North Dakota, Montana—light, sweet Bakken shale oil—out of this region of our country. So it is going to move both domestic crude as well as Canadian crude. So when somebody says it is just a Canadian project, that is not true. That would be akin to somebody saying it is only a U.S. project because it is moving U.S. oil.

For beginners, it is important that people understand it is not just Canadian oil, it is oil we produce in our country that needs to get to refineries as cost-effectively and safely as possible.

What is happening is because we are being blocked from getting these kind of pipelines developed because they can't get through the regulatory process, the oil production we are producing in our part of the country, in North Dakota, Montana, and the Bakken area, as well as other areas of the country is all having to move by rail.

For example, right now my State of North Dakota produces 1.2 million barrels of oil a day, second only to Texas, and that number has been growing. That growth I think will slow down right now because the price of oil has come down so much. But the point is we are having to move 700,000 barrels a day by rail because we don't have the pipelines, such as the Keystone XL Pipeline, approved.

That creates other problems as well. We produce a tremendous number of ag commodities and ag products. We actually are the leader of 14 different major ag commodities in the country—things such as wheat, for example, and many other farm commodities as well. All of those things get backed up on the rail system because we are trying to move so much oil on the rail that we can't handle all the congestion.

So it is not just an issue in terms of energy for our country, but it is affecting our other commerce, our farmers, and other goods that are trying to be shipped. It is not just goods that originate from our part of the country but all the goods that go back and forth and are trying to go through that bottleneck.

But the biggest reason it is very much a U.S. project is because it is about getting to energy security and energy independence.

Right now the United States consumes about 18 million barrels of oil a day. We produce about 11 million barrels a day—which is up tremendously in recent years because of production on private and State lands in places such as North Dakota. That means we still import about 7 million barrels a day. We use 18 million barrels of oil a day. We produce 11 million barrels a day. We import 7 million. The amount of oil we get from Canada is increasing. We are up to more than 3 million barrels a day that we import from Canada. So if we take the 11 million we produce plus the 3 million we get from Canada, that is 14. That leaves us 4 million short of what we use on a daily basis. We get that from places such as OPEC, Venezuela, and other parts of the world that have very different interests in many cases than our own.

I think the American people very much want to get to a position where we don't have to rely on OPEC anymore for the oil we use. In fact, we are getting there. We are getting there. As I say, we are at the point now between ourselves and Canada where we have 14 million of the 18 million a day we use covered.

If we can continue to develop our energy resources and work with Canada, we can truly have North American energy security—meaning we don't have to rely on OPEC anymore for our oil. That is a national security issue. It is an energy issue. It is a jobs issue. It is an economic growth issue. It is a national security issue. Look at what is going on in the Middle East. Americans do not want to rely on OPEC for their oil anymore.

Look at the benefit. As we produce more energy in this country and work with Canada, look at what is happening at the pump. Oil prices are down more than $1 from 1 year ago because we are producing so much more. Basic economics: More supply helps bring prices down. So it is not just about energy independence and energy security for our country, it is about lower energy costs for consumers, for small business. It is not only good for our hard-working Americans as they pull up to the pump and benefit every day from those lower gas prices, but it helps make our economy grow because energy is a foundational industry.

When we have low-cost energy produced in this country that we know we can rely on, that makes us competitive in every other industry sector in a global economy.

So when somebody says: This is just about a pipeline or it is just about a Canadian issue, it is not the case. This is very much about our energy future in this country and how we are going to build it, both to be energy secure and to make our economy go when we have to compete globally.

The second issue—and I often show this chart because it makes the second part of that energy security point. If we don't work with Canada so that this oil comes to us and we control that oil and control our energy future, Canada is going to make other arrangements. They are going to build pipelines to their west coast, and that oil is going to China and we will continue to import oil from OPEC. That is how life works. We either take advantage of this opportunity with our closest friend and ally in the world or somebody else will.

The next one I want to touch on for just a minute is the environmental. We hear about this so much, the environmental aspects of this project. I have

been on the floor and I have talked about various aspects of the project based on the science and based on the fact that there have actually been five environmental impact statements produced. The environmental impact statements produced by the Obama administration say there will be less greenhouse gas emissions with the pipeline than without it because we will be able to move that 830,000 barrels a day of oil by pipeline, rather than moving it by either 1,400 rail cars or sending it to China where the refineries have higher emissions than ours do.

But I would like to go beyond that and talk for a minute in a broader sense about our energy future and how we not only produce more energy more cost-effectively from all sources, from all kinds of energy, but how we can do it with better environmental stewardship. And the way forward there is really technology. It is the American ingenuity, the investment in technology, and the creativity of our companies and our entrepreneurs. That is the real key to success in the future in terms of producing more energy more cost-effectively, more independently, and with better environmental stewardship—by leading the way forward with technology development. We cannot export our regulations, but as we develop technologies, those, in effect, get exported around the world because other countries adopt those technologies.

So I will talk just a minute about the technology development that is going on in the oil sands. Since 1990 the greenhouse gas emissions on a per-barrel basis in the oil sands have gone down by 28 percent, almost one-third. On a per-barrel basis they have reduced their greenhouse gas emissions by 28 percent since 1990. They are engaged in major projects now to develop and deploy new technologies that will help them produce oil in the oil sands region with a smaller footprint—which is what I am showing here—through in situ development and also through carbon capture and storage.

We talk so often about developing carbon capture and storage in this country. That is being developed and deployed in the oil sands right now. The Quest project, which is a project Shell Oil Company is undertaking—let me read from a bit of a summary on their Quest project, which is a project for carbon capture and storage they are developing right now.

This is a picture of it. It is in situ—which means drilling and using steam to bring the oil out rather than excavation, which is the old style—so it has a much smaller environmental footprint, but it also reduces greenhouse gas emissions because they capture the CO_2 and they store it.

A point of inquiry, Mr. President. I would like to ask the bill managers if they are ready to move forward or make any announcement. If we have any amendments, I would gladly yield the floor for that purpose.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I thank the Senator from North Dakota.

As we mentioned earlier, we had a very productive morning trying to discern the universe of amendments we may have before us. I think it is very clear that there is genuine interest on both sides of the aisle to find that path forward so we can come to a conclusion on S. 1 and do so in an orderly way—a way that respects the legislative process and a way that allows Members to have opportunities to advance issues they feel strongly about and issues that merit debate on this floor.

We have encouraged Members over the past couple weeks to present their amendments to us. At this point in time we have processed 24 separate amendments. We do have some amendments that are pending on the Republican side—seven to be exact. I do know that there are others that Members would like to be made pending. I have one myself, and I know the Senator from Washington will be speaking to several additional Democratic amendments which they would like to offer on their side. So I think we have discussed a process here to get us moving in that direction so that we can get the amendments pending, and then hopefully, perhaps as early as this evening—I don't want to make any promises—we can begin voting on these amendments.

What I would like to do at this time is turn to my colleague to not only speak to the gentlewomen's agreement we have in so far as a way forward but also to allow for a couple of amendments to be made pending on her side, and then we will come back and provide that opportunity on the Republican side.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Alaska for her work on this process and for her legislation. As she said, she and I have a gentlewomen's agreement to move forward, and we would like to do that so we can finish business on this legislation, and we are working in good faith on that process. Just as she said, we are going to work on getting the next amendment before us. I thank the Senator for her hard work.

I would like to turn to my colleague from California to call up her amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you, Mr. President.

I thank both of my colleagues for working so hard. I am trying to be a facilitator in this process as well, as the ranking member now on the Environment and Public Works Committee. I want to remind everyone that this bill deals with environmental law.

AMENDMENT NO. 130 TO AMENDMENT NO. 2

I ask unanimous consent to set aside the pending amendment so that I can call up amendment No. 130.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Ms. CANTWELL, proposes an amendment numbered 130 to amendment No. 2.

Mrs. BOXER. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To preserve existing permits and the authority of the agencies issuing the permits to modify the permits if necessary)

On page 2, strike lines 20 through 23 and insert the following:

(c) PERMIT SAVINGS CLAUSE.—Nothing in this Act shall affect the status of any Federal permit or authorization issued before the date of enactment of this Act for the pipeline and cross-border facilities referred to in subsection (a).

Mrs. BOXER. Mr. President, I have a very simple amendment. I hope it will be unanimously accepted. I think anyone within the sound of my voice who cares about the health and safety of people would support this amendment because we know this underlying bill facilitates the building of a Canadian project, with all the benefits going to Canada, none to America. We have established that there will be 35 permanent jobs. We have established that we could have oilspills because we have already had several serious oilspills and this oil is very hard to clean up. We have established by the Republicans' votes that they will not vote to keep the oil in America, so it doesn't even help us with energy independence. They even voted against the amendment to make sure the steel was from America. They voted against that.

So this is a Canadian bill. This is a wonderful bill for Canadian oil interests. Frankly, that is not why I was elected. I was elected to fight for California, fight for American jobs, fight for middle-class jobs, and not sit by while we see what is happening here, which is that the very first bill brought to us by this new Republican Congress turns out to be a bill for Canadian oil.

One of my colleagues—I don't know if it was Senator CANTWELL who coined this or Senator MARKEY—said it is basically a big straw that runs from Canada and has the potential to spill all the way down, and then it is refined here, and all the filth and dirt gets stored here and goes into the air, and then it goes out of the country. It doesn't do a thing to help us. So all I am asking for is a little bit of relief for the people of this Nation.

Right now, S. 1 says that all permits ''shall remain in effect'' for this TransCanada pipeline regardless of any actions taken in building the pipeline, even if the company violates the permits.

So we know this company had to go and get a number of permits. What this bill does is it says: Once you get a permit, TransCanada, no one can take it away from you.

Imagine. We don't do that for our companies. They have to walk the walk and talk the talk.

All we say here is, if you violate your permit, it can be revoked. You cannot willy-nilly get permits from the Commerce Department, EPA, the Corps of Engineers, or other entities and then violate them and know that the permit can never be taken away. I was stunned when I learned this.

So this would very simply say that if, in fact, there is new information that requires a permit to be changed or modified, it can be done. We do not waive protecting the health and safety of the American people.

Let me give an example. Back home I have a bridge that was built, unfortunately, with foreign parts, and those parts failed. It is a nightmare to try to fix it.

If TransCanada violates their permit and uses the wrong materials—let's say the bolts rupture—they still get to keep their permit. We are saying: No. Your permit can be revoked.

Another example: This is the handling of hazardous waste. We know this is filthy, dirty oil, and we know what is in this oil. It is toxic. Peer-reviewed research established significantly higher levels of carcinogens. We know this. We have met with the people who live in Canada who have had to breathe in that air. Data collected by the Texas Cancer Registry indicates that cancer rates among African Americans in Jefferson County, Port Arthur, TX, are 15 percent higher than for the average Texans. They live right near the refineries.

We know these permits are only as good as they are enforced. If they are enforced and we find they haven't lived up to their commitments on the handling of hazardous waste—by the way, to get their permit from Commerce, they also have to put out a plan that deals with a spill. Let's say there is a spill and they don't live up to the permit. They still get to keep the permit.

This is an extraordinary piece of legislation. I have never ever in my time here or ever in history known of any American corporation getting a free pass in terms of the health and safety and the protection of the air and water that this company is getting. They could literally avoid following any of the steps they committed to in their permit, and this legislation gives them a free pass.

My amendment simply says that we are able to revoke a permit if it is not followed.

I would ask the Senator from Washington if I could at this point yield the floor. My amendment is pending. I appreciate the work of the Senator from Alaska in allowing this amendment to be offered, and I appreciate the work of my colleague from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, before recognizing the Senator from California, I failed to say that there is no way this legislation would be where it is today, moving forward in the process, without the Senator from California. She has been a great adviser all through this process and a great protector and advocate of the issues we are interested in on the environment, on security, and on safety. I thank her for her leadership, and I look forward to supporting her on this amendment.

I would like to turn to my colleague from Michigan, if I could. We are going to offer a couple of amendments on our side and go back to the Senator from Alaska, but at this point in time I would like the Senator from Michigan, who has had a very devastating personal experience related to tar sands, to talk about his amendment and call up that amendment.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 70 TO AMENDMENT NO. 2

Mr. PETERS. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 70, which is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Michigan [Mr. PETERS], for himself and Ms. STABENOW, proposes an amendment numbered 70 to amendment No. 2.

Mr. PETERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require that the Administrator of the Pipeline and Hazardous Materials Safety Administration make a certification and submit to Congress the results of a study before the pipeline may be constructed, connected, operated, or maintained)

At the appropriate place, insert the following:

SEC. ___. PHMSA GREAT LAKES RESOURCES AND STUDY.

The pipeline described in section 2(a) shall not be constructed, connected, operated, or maintained until the Administrator of the Pipeline and Hazardous Materials Safety Administration—

(1) certifies to Congress that the Pipeline and Hazardous Materials Safety Administration has sufficient resources to carry out the duties of the Pipeline and Hazardous Materials Safety Administration for pipelines in the Great Lakes; and

(2) submits to Congress the results of a study on recommendations for special conditions on pipelines in the Great Lakes, similar to the recommendations in Appendix B of the environmental impact statement described in section 2(b).

Mr. PETERS. Mr. President, this is a very commonsense amendment based on a simple premise. Before Congress intervenes to approve this new pipeline that is before us, the Pipeline and Hazardous Materials Safety Administration, PHMSA, the Federal agency which oversees pipeline safety, should certify that it has the resources required to carry out its duty.

Specifically, the amendment before the Senate requires PHMSA to confirm that it has the resources to oversee pipelines in the Great Lakes and provide recommendations for special conditions for pipelines in the Great Lakes just as it provided recommendations for special conditions for the Keystone XL Pipeline.

The people of Michigan know why it is so important that we ensure these pipelines are safe. We had a pipeline spill in Kalamazoo, MI, in 2010 that spilled over 800,000 gallons of tar sands into the Kalamazoo River. The cleanup has now taken over 4 years at a cost of over $1.2 billion. A pipeline accident in the Great Lakes, where we have some of these pipelines located now, would be absolutely catastrophic. We have to remind folks that the Great Lakes now provide drinking water to over 40 million people and support 1.5 million jobs. It would be a disaster not just for folks in the State of Michigan, but throughout the Great Lakes region and throughout the country, if there were a pipeline break. We know it firsthand from what happened in Kalamazoo, the most expensive pipeline break in the history of this country.

We have to ensure that the pipelines that operate in the Great Lakes, particularly in the Straits of Mackinac, which connect the Upper Peninsula with the Lower Peninsula, have the protections they need.

I ask my colleagues to join me in supporting this amendment to make sure we protect the Great Lakes, not just for today but for future generations.

I yield back.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I yield to Senator COLLINS from Maine to bring up an amendment.

The PRESIDING OFFICER. The Senator from Maine.

AMENDMENT NO. 35 TO AMENDMENT NO. 2

Ms. COLLINS. Mr. President, I ask unanimous consent that the pending amendment be set aside so I may call up amendment No. 35.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself and Mr. WARNER, proposes an amendment numbered 35 to amendment No. 2.

Ms. COLLINS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To coordinate the provision of energy retrofitting assistance to schools)

After section 2, insert the following:

SEC. ___. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

(a) DEFINITIONS.—In this section:

(1) SCHOOL.—The term ''school'' means—

(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

(C) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

(D) a school operated by the Bureau of Indian Affairs;

(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511)); and

(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) DESIGNATION OF LEAD AGENCY.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

(c) REQUIREMENTS.—In carrying out coordination and outreach under subsection (b), the Secretary shall—

(1) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

(2) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in paragraph (1) for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

(A) to use existing Federal opportunities more effectively; and

(B) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities to support the initiation of the projects;

(3) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

(A) to increase the energy efficiency of buildings or facilities;

(B) to install systems that individually generate energy from renewable energy resources;

(C) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

(D) to promote—

(i) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy efficiency, renewable energy, and energy retrofit projects; and

(ii) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

(4) develop and maintain a single online resource website with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in paragraph (1) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

(5) establish a process for recognition of schools that—

(A) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

(B) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the implementation of this section.

Ms. COLLINS. I thank the Presiding Officer, and I thank the Senator from Alaska for yielding to me for this purpose and I commend her, as well as the Senator from Washington State, for their extraordinary management of this bill.

I am pleased to report that the amendment I have called up and made pending is actually a bipartisan initiative. It is cosponsored by my colleague from Virginia, Senator WARNER, and its purpose is to help school officials to learn more easily about Federal programs and incentives that are available to improve energy efficiency and thus lower costs for our Nation's schools.

There are a number of Federal initiatives already available to schools to help them become more energy efficient, but in many cases schools are not taking full advantage of these programs. The reason for that is because they are scattered across several agencies and are difficult to access.

I want to make it clear to my colleagues that Senator WARNER and I are not proposing the creation of any new programs to help schools become more energy efficient but rather to have more coordination and to streamline those programs which already exist.

Our amendment would require the Department of Energy to be the leader of these programs and help schools identify and navigate them, and that in turn would be a great service to our Nation's schools.

As I said, by providing a streamlined coordinating structure, this amendment would help schools navigate available Federal programs and financing without authorizing new programs or funding. Decisions about how best to meet the energy needs of their schools would appropriately remain in the hands of States, school boards, and local officials.

Specifically, the amendment would establish the Department of Energy as the lead agency for coordinating and disseminating information on existing Federal energy efficiency programs and financing options available to schools for initiating, developing, and financing energy efficiency, renewable energy, and energy retrofitting projects.

The amendment would also require DOE to review existing Federal programs—scattered at the Departments of Agriculture, Education, Treasury, the IRS, and EPA—so schools know what is available.

It would also streamline communication and outreach to the States, local education agencies, and schools and the development of a mechanism for forming a peer-to-peer network to support the initiation of the projects.

Finally, the amendment would require the Department of Energy to provide technical assistance to help schools navigate the financing and development of such projects to better ensure their success.

Assisting our nation's schools in navigating and tapping into existing federal programs to lower energy usage and save money makes good common sense.

I urge my colleagues on both sides of the aisle to support the Collins-Warner amendment No. 35.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

AMENDMENT NO. 166 TO AMENDMENT NO. 2

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the pending amendment be set aside to call up amendment No. 166.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI] proposes an amendment numbered 166 to amendment No. 2.

Ms. MURKOWSKI. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To release certain wilderness study areas from management for preservation as wilderness)

At the appropriate place, insert the following:

SEC. _. RELEASE OF CERTAIN WILDERNESS STUDY AREAS.

(a) BUREAU OF LAND MANAGEMENT LAND.—With respect to Bureau of Land Management land identified as a wilderness study area and recommended for a wilderness designation under section 603(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(a)), if, within 1 year of receiving the recommendation, Congress has not designated the wilderness study area as wilderness, the area shall no longer be subject to—

(1) section 603(c) of that Act; or

(2) Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.

(b) FISH AND WILDLIFE SERVICE LAND.—With respect to land administered by the United States Fish and Wildlife Service that has been recommended by the President or the Secretary of the Interior for designation as wilderness under the Wilderness Act (16 U.S.C. 1131 et seq.), if, within 1 year of receiving the recommendation, Congress has

not designated the land as wilderness, the land shall no longer be managed in a manner that protects the wilderness character of the land.

Ms. MURKOWSKI. Mr. President, the amendment I am offering this afternoon is pretty straightforward. It would effectively release wilderness study areas if, within 1 year of receiving the recommendation, Congress has not designated this study area as wilderness.

There has been a lot of discussion in the news of late with the President's announcement on Sunday that he is seeking to put an additional 12 million acres in the ANWR area—Alaska's North Slope—into wilderness status, including the 1002 area which has specifically been designated for oil and gas exploration. I want to make sure people understand this is not just an ANWR amendment. This is about the wilderness study areas that we see that are currently on the books.

According to the Congressional Research Service, as of the beginning of this year, Congress has designated 109.8 million acres of Federal land as wilderness. Just over half of this wilderness is in my State of Alaska. We have over 57 million acres of wilderness in Alaska. Ninety percent of the wilderness under the management of the Fish and Wildlife Service is in Alaska.

As a practical matter, there is more out there. There are more acres that are proposed for wilderness designation. For example, the Bureau of Land Management manages 528 wilderness study areas containing almost 12.8 million acres located primarily in the 12 States in the West as well as Alaska.

We also have the U.S. Fish and Wildlife Service, which has a wilderness study process through its land use planning to identify areas to be proposed as wilderness.

There is some history as to how we got to dealing with these wilderness study areas. Areas that are identified by agency officials as having certain wilderness characteristics—as identified under the 1964 Wilderness Act—were classified as wilderness study areas. BLM received specific direction in the Federal Land Policy Management Act of 1976 to inventory and study its roadless areas for wilderness characteristics. By 1980 the BLM completed field inventories which designated about 25 million acres of wilderness study areas. Since 1980 Congress has taken a look at some of these. Some have been designated as wilderness and others have been released for nonwilderness uses. The BLM has also taken it upon itself to designate wilderness study areas through its land use process.

The point here is that once an area has been designated under the BLM or the Fish and Wildlife Service study regime, it effectively becomes de facto wilderness. The designation then limits and restricts the ability to do just about anything for fear that it might impair the suitability of the area for preservation as wilderness.

Until Congress makes a final determination on a wilderness study area, the BLM or the Fish and Wildlife Service manages these areas to preserve their suitability for designation as wilderness. Even if Congress has not acted—because it is Congress's purview to do so—the agencies have designated it as de facto wilderness.

My amendment says we are going to change this, and we have to change this. Congress needs to reassert itself into this equation. As the final arbiter of what is or is not designated as wilderness, Congress can and should make the decisions in a timely manner about the wilderness status.

What my amendment does is pretty simple. If Congress doesn't act within 1 year to designate as wilderness an area recommended for wilderness, the designation is released. It just goes back to multiple use. That way the agencies are not managing areas to preserve a possible wilderness designation as an option for Congress. Instead, they can get on with looking at a broader range of options for how to manage that land with the local people and other interested stakeholders through the land-use planning process that applies to each of the agencies.

Some may argue that Congress needs more time on this. I would say we have had plenty of time to review these areas. Some of the wilderness study areas have been pending since the 1980s. That is plenty of time to figure out whether they should be put in wilderness status. Congress needs to make decisions.

I ask my colleagues to support my amendment and take a look at what is contained and not just think about the ANWR situation but think about the applicability within their respective States.

I know that Senator SESSIONS was seeking recognition. As Members are seeking to come to the floor to get their amendments pending, we would like to allow them to have recognition.

At this point, I believe we need some clarification from the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I will wrap up in 2 minutes and will then yield the floor to the Senator from Alabama.

I have been talking about a number of different points, but right now I would like to defer. I will be back on the issues as we continue this debate. Again, I thank the bill managers, and I am very pleased to see that Senators are coming down and making these amendments pending. That is what we need do now. I thank Senators on both sides of the aisle for doing that.

With that, I yield the floor to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator HOEVEN for his hard work on this Keystone XL Pipeline bill, as well as Senator MURKOWSKI and others who have worked together on it on both sides of the aisle.

CLIMATE CHANGE

Mr. SESSIONS. We have been talking about global warming and climate change. I have been on the Environment and Public Works Committee for some time, and we have had a number of good hearings on the subject. I wish to share some thoughts on climate change because so much of what is driving our energy policies in America today is entirely dependent on a fear of the impact of global warming in the years to come.

There have been a number of votes on global warming. I was asked by a reporter today: You voted with the Whitehouse amendment; why did you do that? Well, I just have this to say. It is true, to my understanding, and according to the best science we have, that the Earth has warmed by a degree in the last 100 years, and exactly what is causing that, we are not so sure.

If that were to accelerate, then, to a significant degree, it would be a cause for concern. It would be a cause for America and the entire world to really begin to evaluate what our future is and what action might be taken. That is what has happened.

The world has been engaged mightily in the effort to drive up the cost of electricity, drive up the cost of gasoline, drive up the cost of the production of products that use energy, and drive up the cost of transported items that you go to the grocery store and buy.

I will just say this. The scare tactics we have been hearing are not coming to fruition. Over a time period, they were predicted to come to a fruition, but they just are not. As public servants—as elected officials who represent 320 million Americans—we need to ask ourselves: Should we press down an excessive, increased burden of energy costs on the backs of working Americans to meet the fears that we have been hearing about? And if we do that, how much can we afford to do? How much can we afford to ask of them?

We are reducing CO_2 emissions in the United States and doing a pretty good job of it. But the fear is—at least the concern from so many of us—is that we are now projecting—the President is projecting massive increases in regulations that will significantly and further hammer coal and hammer the price of energy in America.

Many Members of Congress want to take drastic action that would increase the cost of electricity and gasoline from fossil fuels. It would do that. There is no doubt about that. And it would virtually end coal production in the United States, a product we have a lot of.

They claim the science of global warming is settled, but I suggest questions remain. Global climate change advocates have, over many years, relied upon a number of climate models. These models are designed to predict the temperature over time, and they

have done that, and I will show my colleagues the result of these models in a minute. They predict not only increasing temperatures but increasing droughts, increasing flux—droughts and flux—increasing severe weather events such as hurricanes and tornadoes. These models have long predicted this. So we have a history of how well the models have performed over time. An easy measure, a critical measure, of the validity of any model is how well it compares to actual data. So the actual weather data, I tell my colleagues, is proving that the models have not been accurate.

There are other facts we are dealing with that give concern to those of us who are less than certain about what the climate will do in the future.

Last week, NASA's Goddard Institute for Space Studies claimed that 2014 was the hottest year on record. Perhaps my colleagues heard that. It was based on their analysis of 3,000 ground-based thermometers around the world. They backtracked on that claim the very next day, however, because the increase was so small that the ground-based system fell within the margin of error.

There are other problems with those assertions. Data gathered at the Earth's surface has limitations in measuring the temperature. It is a relatively small sample influenced by human construction. Instead, the best data, I think most scientists agree, for determining warming of the atmosphere is a method that can objectively gather far more data, and that is satellites.

There are two research groups that track atmospheric data, one satellite and one balloon. They both show temperature data that has barely risen for 35 years. The balloons validate the accuracy of the satellites and the satellites tend to validate the accuracy of the balloons. So there is a wider and wider divergence over the years from what the models claim and what the actual temperature is doing. There just is.

Other evidence can be seen in the Earth's ice coverage. A few years ago former Vice President Al Gore claimed the Arctic might be ice-free in the summertime by 2014. That was last year. That was a prediction. Another study said it would be ice-free by 2029. But this past summer, the ice coverage in the Arctic Ocean was 43 percent greater than it was in 2012.

Senator MURKOWSKI, that is an increase the size of the State of Alaska, which is a pretty sizable State, for heaven's sake. It has become well-known that ice coverage in Antarctica is also at its record recorded levels.

There have been dire predictions made about extreme weather events. On the Weather Channel on our TV, they love to talk about storms, and it is exciting, and people watch it. I have had people call from Alabama and tell me, Have you gotten your food in? You are going to have a big storm. You are going to be shut in.

When temperature data stopped supporting the applicants' claims of warming, they started claiming that storms and droughts would worsen; we would have more of them. We all heard that many times. It is hard to know what to think about it when we heard that over the years.

It has now been nearly 3,400 days since the last major hurricane hit the United States. This is no little matter to me. I remember moving to Mobile in 1979, and that year we had Hurricane Frederic that slammed the city. Trees were down everywhere. Power was off for weeks. I believe it was a category 3 hurricane. Earlier we had Hurricane Camille hit, and that was in the 1960s. Then we had Hurricane Katrina that hit New Orleans and hit my hometown of Mobile a very significant blow. But it has been nearly 3,400 days since the last major hurricane hit the United States. That is a category 3, 4, or 5. That is almost 10 years. I think that is the longest period maybe this century.

According to Dr. Roger Pielke, a professor at the University of Colorado-Boulder, who testified before our EPW Committee last year, he said hurricane seasons in the United States are 20 percent less intense and have seen 20 percent fewer landfalls than in 1900.

We have received testimony in the Environment and Public Works Committee from Dr. Roy Spencer, who said this:

> There is little or no observational effort that severe weather of any type has worsened over the last 30, 50, or 100 years.

He said that in his testimony before the committee.

The IPCC, the International Panel on Climate Change, fifth climate assessment released in 2013, what did they say about these predictions? Quote:

> Current data sets indicate no significant observed trends in global tropical cyclone frequency over the last century.

So I suppose they have acknowledged that prediction to be incorrect.

That same report talked about floods. We have been told we will have more floods.

The IPCC says:

> In summary, there continues to be a lack of evidence and thus low confidence regarding the sign of trend in the magnitude and/or frequency of floods on a global scale.

According to the Palmer Drought Index, there is a statistically insignificant decrease in global droughts from 1982 to 2012.

So, remember, CO_2 is increasing in the atmosphere. It is a small part of the atmosphere. It is a clean gas. There is no damage to us. It is a gas that is plant food. If we understand photosynthesis, plants breathe in CO_2, grow, and create carbon stalks and emit oxygen, which is good for us. So in itself, CO_2 is not an inherently bad product.

From 1982 to 2012, when we had some of the greatest increase in CO_2—I guess the greatest increase in CO_2 in the history of the planet, unless there was some volcano or some event—we have seen actually a decrease in droughts. Small, but a decrease nonetheless.

Last July, the Budget Committee, which I was the ranking member of, had a hearing on the cost of climate change to the economy and the Democrats called that hearing. The Republican witnesses were Dr. Bjorn Lomborg and David Montgomery. Professor Lomborg, from the Copenhagen Institute in Denmark, said this:

> While some warming may have occurred, it will not mean the end of the world. The total, discounted cost of inaction—

not doing anything on global climate change—

> over the next five centuries is about 1.2 percent of discounted GDP. The cumulative cost of inaction towards the end of the century is about 1.8 percent of GDP. While this is not trivial, it by no means supports the often apocalyptic conversation on global climate change.

It goes on:

> The cost of inaction by the end of the century is equivalent to losing one year's GDP growth.

Last year we had, what, 2 percent GDP, using an average of 2.5 percent, 2 percent, 1 year's worth; not 100 years' worth, 1 year's worth, the equivalent, he said, of a moderate 1-year recession. The cost of inaction by the end of the century is equivalent to an annual loss of GDP growth on the order of .02 percent, or two-hundredths of 1 percent—not 2 percent; two-hundredths of 1 percent.

Professor Lomborg, who believes that human activity has contributed to some global warming—he said that—also pointed out that climate control policy, based on current data, will cost far more than the ''benefits'' it delivers.

Isn't that the question we have to ask ourselves? When we impose a cost on the American people, shouldn't that cost produce more benefit than the cost in currency?

He continues:

> A slightly warmer Earth means net benefits through the first half of this century, until 2065.

So until 2065 it will benefit America, warmer temperatures. After that, these models and other projections—he is taking them from the IPCC's own data—find that costs do begin to occur.

He continues:

> However, an aggressive government response to warming now can wipe out the benefits we can expect to receive.

Plus we will have higher taxes; more spending, more regulations will cut jobs, reduce incomes, hurt savings, and, thus, set us back more as a nation.

Dr. David Montgomery, who testified at the hearing, said: It is far from clear that recent weather events are anything more than normal variability in storm frequency and intensity and the nature, timing and extent of damage from climate change remains highly uncertain. This does not imply that no action is justified, but it does imply that costs and avoided risks must be balanced carefully.

I think that is what we need to do, balance the cost and the risk.

In sum, these experts before the Budget Committee highlighted that the climate change could be happening and it could be a part of human action, but its costs in the near term certainly are not great. This compares to the cost of trying to stop climate change by reducing human activity as very large indeed.

Congress considered legislation in 2009 and 2010 to put a price on carbon through a cap-and-trade system that President Obama supported. The cost was deemed too high. Congress said no. The bill that passed the House would cost $161 billion—it was in Democratic hands at the time—would cost $161 billion in the first year, and it increased in additional years. How much is $161 billion? Well, we are desperately trying to find $10 billion, $12 billion a year for the next 6 years to fund the highway bill. That is $10 billion a year. This is $160 billion a year. The amount we spend on education in America is about $100 billion a year. This would be $161 billion a year. Over a decade, we are talking $2 trillion hammered onto the American economy.

This is a serious matter and, fortunately, Congress did not yield. Congress rejected the legislation. So the President decided to pursue the same results, not through the elected representatives but through the regulatory process. In 2007, the Supreme Court sided with the State of Massachusetts in a critical case. It empowered EPA—if it chose—to regulate greenhouse gases, based on the Clean Air Act of the 1970s, when global warming was never dreamed of and nobody ever considered CO_2 to be a pollutant. This was an activist Supreme Court decision, in my opinion. Congress would never pass this law. There has never been one time in the last 30 years, or certainly before that, that Congress would pass a law recommending huge regulatory powers to the EPA over CO_2.

So the Court did not require EPA to regulate gases, but the Court allowed that under the Clean Air Act. So now the EPA is developing a rulemaking called a Clean Power Plan. This regulation will cost between $41 billion and $73 billion annually, more than the road bill and almost as much as the educational bill according to analysts.

On top of this, consumers will have to spend hundreds of billions conserving electricity. Electricity rates are going to increase by double-digit percentages throughout most of the country. These are the costs of only one of the regulations EPA is pursuing. In total, the Heritage Action expects the President's Climate Action Plan will cost $1.47 trillion in lost GDP by 2030. The costs of action far outweigh the cost of inaction, it seems to me. That is the basis of my concern about many of the extreme actions we are taking. The Nation is crisscrossed with pipelines. They are all over it.

In my home State of Alabama, we are not having complaints about that. This idea that we shouldn't have a pipeline to bring oil from our ally and friend Canada to drive down further, hopefully, the cost of energy in the United States is an erroneous idea. It is all driven at the bottom by this global climate change idea. I am not a climate denier. I don't know what the truth is and what history will teach. I have assumed over the years scientists are on to something when they claim that CO_2 will be a blanket effect in our atmosphere and temperature might increase. I do know that if we burn fossil fuels, burn plants, it creates CO_2. I know that. It increases it in the atmosphere. The models which are predicted increasing temperatures from this steady rise in CO_2 that has been occurring for over 100 years as the planet's population increases have been wrong.

Let me show this chart. It is prepared by Dr. John Christy, who worked at NASA and the University of Alabama at Huntsville. The red line represents from 1975 to 2025, a projection average of all the models—and there are many of them; I think about 30 people doing modeling of the temperatures and the average shows this rise. This is an alarming rise. It was based on those predictions, those modeled effects, that people have demanded we change what we do with energy in America and we reduce fossil fuels and we pay more for energy to avoid this trend.

We are getting not too far from 2025. That is a 50-year trend. Look at the reality though. These are the numbers, satellite data, and balloon data around the world. We basically had very little increase from 1980 to 2015. For 18 years or so it is basically totally flat. So what does that mean?

I am not sure. Maybe it will start surging next year. Maybe we will see more. But at this point, as reasonable Congressmen and Senators, I don't believe we can conclude that we should burden this American economy weak as it is—high unemployment, December wages dropped 5 cents an hour. The President kept talking about how great things are. Wages dropped 5 cents an hour in 1 month alone—December. We have the lowest percentage of Americans in the working ages actually working in America today since the 1970s. Things aren't going so well. We don't need to be driving up costs for our businesses, making them less competitive in the world marketplace, making gasoline more expensive for working moms, making electricity more expensive for our elderly who are at home and cold. We just don't.

So who cares the most? I say we need to care about the people we represent. We need to care about their welfare.

Mr. Steyer, with his tens of millions of dollars in contributions, demands we don't pass Keystone Pipeline, to carry out his theory—this billionaire that he is—and he doesn't care apparently about what is happening to jobs in America, competitiveness in America, and the welfare of the citizens of this country.

Congress represents the interests of 320 million people. We need to defend their interests, not ideological activists. It is almost a religion to them. We have to be objective and realistic as we evaluate. So there can be no doubt that this agenda will increase energy prices, it will shrink the middle class, it will eliminate jobs, it will increase costs across the board, it will reduce wages, and it will throw millions of Americans out of work. It just will if we carry out this agenda.

It is not being done in China. It is not being done in Russia. It is not being done in Brazil. So it is of utmost importance that the American people know about these claims and the effects of regulations before we go headlong into enacting them.

The blocking of Keystone Pipeline is a clear example of what has happened. We will be denying struggling Americans and businesses another source of energy that will put further downward pressure on energy prices. We can have only one effect to produce the greatest supply and to help contain the price of oil. Whatever the price of oil is, it will be less with Keystone Pipeline than if we didn't have that source from the Keystone Pipeline in Canada.

This will make us more dependent on foreign suppliers, many of which are not our friends. Canada is our friend, our best trading partner in the world, perhaps our best ally in the world. It is already causing great frustration with our friends in Canada.

I met with the Canadian parliamentarians. Last year we had a meeting. I was surprised how deeply they felt about this. They were hurt. They cannot understand why we can't get this done. It is such a commonsense thing to them.

Some of our Democratic colleagues argue our economy will not be affected by the agenda, the President's Climate Action Plan. Others acknowledge the cost but justify this as a speed bump and not significant. Congress represents most closely the people of the United States, and Congress has never voted to give unelected bureaucrats and officials the power to regulate CO_2. We are not close to doing that today. It would never pass this Congress, either House or Senate. There is zero chance it would pass if it was actually voted on.

As long as Congress has decided not to act, how can EPA act? It is acting against the wishes of the American people and the interests of the country. It takes the consensus of the American people to move large and costly legislation such as this, hundreds of billions, trillions of dollars. That consensus is not formed. It is not there.

On Keystone and other key issues, the consensus is against government excess, not for the government to do more. Talk to the American people. Look at the polling data. Someday maybe things will change, it is true, I will acknowledge. Temperatures could start to rise significantly and storms

could begin to worsen. But as long as the measured data fails to match the alarmists' climate models, I believe Congress should approve this pipeline and reject the agenda of the climate alarmists and conduct a policy that is beneficial to the people of our Nation.

I thank the Chair, and I yield floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I know the ranking member had intended to offer an amendment on behalf of one of her colleagues, and she is off the floor right now. I want to respect the understanding we had, but I also want to respect that the Senator from Vermont is here and I believe prepared to speak to his amendment. I just want to acknowledge that Senator CANTWELL intended to offer a couple of amendments.

I yield to my colleague.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 23 TO AMENDMENT NO. 2

Mr. SANDERS. I ask unanimous consent to set aside the pending amendment to call up my amendment, amendment No. 23, the Ten Million Solar Roofs Act, and it be made pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself, Mr. MENENDEZ, and Mr. WHITEHOUSE, proposes an amendment numbered 23 to amendment No. 2.

Mr. SANDERS. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10,000,000 photovoltaic systems by 2025)

After section 2, insert the following:

SEC. _____. REBATES FOR PURCHASE AND INSTALLATION OF PHOTOVOLTAIC SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) PHOTOVOLTAIC SYSTEM.—The term ''photovoltaic system'' includes—

(A) solar panels;

(B) roof support structures;

(C) inverters;

(D) an energy storage system, if the energy storage system is integrated with the photovoltaic system; and

(E) any other hardware necessary for the installation of a photovoltaic system.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) REBATES FOR PURCHASE AND INSTALLATION OF PHOTOVOLTAIC SYSTEMS.—

(1) IN GENERAL.—The Secretary shall establish a program under which the Secretary shall provide rebates to eligible individuals or entities for the purchase and installation of photovoltaic systems for residential and commercial properties in order to install, over the 10-year period beginning on the date of enactment of this Act, not less than an additional 10,000,000 photovoltaic systems in the United States (as compared to the number of photovoltaic systems installed in the United States as of the date of enactment of this Act) with a cumulative capacity of not less than 60,000 megawatts.

(2) ELIGIBILITY.—

(A) IN GENERAL.—To be eligible for a rebate under this subsection—

(i) the recipient of the rebate shall be a homeowner, business, nonprofit entity, or State or local government that purchased and installed a photovoltaic system for a property located in the United States; and

(ii) the recipient of the rebate shall meet such other eligibility criteria as are determined to be appropriate by the Secretary.

(B) OTHER ENTITIES.—After public review and comment, the Secretary may identify other individuals or entities located in the United States that qualify for a rebate under this subsection.

(3) AMOUNT.—Subject to paragraph (4)(B) and the availability of appropriations under subsection (c), the amount of a rebate provided to an eligible individual or entity for the purchase and installation of a photovoltaic system for a property under this subsection shall be equal to the lesser of—

(A) 15 percent of the initial capital costs for purchasing and installing the photovoltaic system, including costs for hardware, permitting and other ''soft costs'', and installation; or

(B) $10,000.

(4) INTERMEDIATE REPORT.—As soon as practicable after the end of the 5-year period beginning on the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress, and publish on the website of the Department of Energy, a report that describes—

(A) the number of photovoltaic systems for residential and commercial properties purchased and installed with rebates provided under this subsection; and

(B) any steps the Secretary will take to ensure that the goal of the installation of an additional 10,000,000 photovoltaic systems in the United States is achieved by 2025.

(5) RELATIONSHIP TO OTHER LAW.—The authority provided under this subsection shall be in addition to any other authority under which credits or other types of financial assistance are provided for installation of a photovoltaic system for a property.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

Mr. SANDERS. Madam President, it goes without saying I disagree with my good friend from Alabama in terms of his assessment of the climate situation. To my mind, the scientific community, the overwhelming majority of scientists have made it clear that climate change is real, caused by human activity, is already causing devastating problems in our country and around the world, that we have a limited opportunity to try to transform our energy system so a bad situation does not become much worse. One of the ways we transform our energy system is by moving to such sustainable energies as wind, solar, geothermal, and others.

What this amendment does is propose to create over the next 10 years 10 million solar rooftops in this country—a massive effort to expand solar energy in this country by giving a rebate on new solar systems. As we all know, the solar industry is booming. We are seeing significant increases in the number of people who are using solar. Today there are more than 13,000 megawatts of operating solar capacity, nearly half a million photovoltaic systems.

We have made real progress in recent years. But we have a long way to go, and that is what this legislation would do. I wanted to say a word about an article that appeared in many of the papers today which I think is pretty scary stuff.

It talks about the Koch brothers being prepared to spend almost $1 billion in 2016 in order to bring forward their very rightwing agenda. When we hear these numbers about one family—the second wealthiest family in America, extreme rightwing family—prepared to spend almost $1 billion in the coming elections, I think the American people have to ask whether the foundations of American democracy have been uprooted and whether in fact we are moving to an oligarchic form of society. As many people know, what oligarchy is about is when you have very wealthy and powerful people controlling what goes on.

What the history of America presumably has been about is ordinary people determining what happens in our country. Ordinary people elect Members of the House and elect Members of the Senate. Now what we have is one family worth some $85 billion prepared to spend in the next election almost as much as Obama spent and almost as much as Romney spent in the last Presidential election.

My guess is in the coming years what we are going to see is the major and most effective and most powerful political party in America is not the Republican Party. It is not the Democratic Party. It is the Koch brothers party. They already have assembled, as I understand it, a political database which has more information than the Republican Party database.

We have to take a very hard look at what is going on and determine whether this is what we believe our democracy should be—a billionaire family with more power than either the Democratic or Republican Parties.

In the last election the Republican candidate for President, Mitt Romney, spent about $446 million from his campaign committee—about half of what the Koch network plans to spend next year. President Obama spent $715 million in 2012 from his campaign committee. The difference is that Obama and Romney raised significant sums of money from people all over the country, people who may have contributed 50 bucks or 100 bucks, and now we have one family preparing to spend almost as much money as either Obama or Romney spent, and that is a frightening situation. It tells me loudly and clearly that we must overturn this disastrous Supreme Court decision called Citizens United.

REBUILD AMERICA ACT

Madam President, today I have introduced legislation that calls for a $1 trillion investment to rebuild our collapsing infrastructure; that is, our

roads, bridges, wastewater plants, water systems, dams, levees, rail, airports.

Everybody in the Senate and I hope everybody in America understands that our infrastructure is collapsing. We can't avoid dealing with this issue. We can't turn our backs on this issue. I am a former mayor, and what I can say is that infrastructure does not get better when we ignore it. It gets worse, and it becomes more expensive to fix.

For most of our history the United States proudly led the world in building innovative infrastructure, from inland canals to the transcontinental railroad. We implemented huge flood-control projects and embarked on an ambitious rural electrification program. We built modern airports and the Interstate Highway System. In terms of infrastructure, we were the envy of the world. Sadly, that is no longer the case.

Today the United States spends just 2.4 percent of GDP on infrastructure—less than at any point in the past 20 years. Europe spends twice that amount, and China spends close to four times our rate. We are falling further and further behind, and that is not where the United States of America should be.

Today we are 12th in the world in terms of the quality of our infrastructure when we used to be No. 1. One out of every nine bridges in our country is structurally deficient and nearly one-quarter are functionally obsolete. Almost one-third of our roads are in poor or mediocre condition, and more than 42 percent of urban highways are congested. Urban and suburban transit systems are struggling to address deferred maintenance even as ridership steadily increases.

No one argues about the need to rebuild our crumbling infrastructure. When we do that, we get an additional bonus because if we invest $1 trillion over a 5-year period, we can create 13 million decent-paying jobs, and that is exactly what we should be doing. Real unemployment today is not 5.6 percent, it is 11 percent. Youth unemployment is 18 percent. African-American youth unemployment is 30 percent. We need to create millions of decent-paying jobs, and the best way we can do that is by rebuilding our crumbling infrastructure.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I ask unanimous consent that the pending amendments be set aside and that I be permitted to proceed as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

529 COLLEGE SAVINGS PLANS

Ms. COLLINS. Madam President, in President Obama's State of the Union Address last week, he outlined an agenda focused on what he called middle-class economics, which he described as providing Americans with the ''tools they needed to go as far as their effort and their dreams will take them.''

Our country thrives when hard-working Americans prosper. The President was right to praise policies, such as the GI bill and Social Security, that have helped us to do just that. That is why I am perplexed at the President's proposal to tax the earnings of 529 college savings plan accounts. Rather than help American families meet the onerous cost of a college education, this new tax would greatly diminish the benefits of a law that is helping millions of parents plan for their children's futures. The President's proposal undermines the very values we should be promoting—families making sacrifices today in order to better provide for their children tomorrow. The President's plan would also lead to more student loan debt for many young people at a time when concern over the level of debt is rising.

I would also note that the President has proposed eliminating the tax deduction on interest on student loan payments.

One of the first questions new parents ask themselves is how they will be able to pay for their children's education. For the past 14 years the 529 accounts have been an important part of the answer. They have allowed parents to save for their children's education in tax-advantaged accounts. Regular, affordable contributions made with after-tax dollars from their paychecks grow over time. When college years start, those savings and the earnings from their investments can be withdrawn tax free for educational expenses. These small sacrifices made from paycheck to paycheck can have an enormous impact, making real the dream of higher education.

Parents know that receiving a college degree greatly improves their child's future earnings potential. In fact, according to data compiled by the U.S. Census Bureau in the year 2011, individuals with college degrees earn approximately $1 million more over the course of their careers than do workers with high school diplomas. Census data also showed that people with higher levels of education are more likely to be employed full time year-round. College graduates also tend to have access to more specialized jobs that, in turn, yield higher wages.

Critics of the 529 plans assert that they disproportionately benefit very high-income families who could afford to pay for college without the tax-free growth in these dedicated savings accounts. Data from the College Savings Foundation, however, counters this assertion. According to the foundation, the average value in one of these 529 accounts is $19,774. Additionally, the average contribution to accounts that receive regular electronic contributions, such as those coming from paycheck withholding, is just $175 a month. That is clearly more in line with hard-working families trying to make ends meet than with affluent families who enjoy significant disposable income.

My home State provides a great example of the benefits of the 529 law. After this law was passed in 2001, thousands of Maine families established these accounts, but then came a powerful extra incentive. In 2008 the Harold Alfond Foundation, which was established by one of Maine's greatest philanthropists, created the Harold Alfond College Challenge. This program now provides a $500 contribution to the college savings account of every baby born in Maine. To date, some 23,000 Maine families have used this generous gift to begin planning for the future education of their children. As their parents' own contributions are added to the account, the future becomes even brighter for these children and for our State. As the children grow and make their own contributions from afterschool and summer jobs, so too grows their appreciation of financial responsibility and self-reliance.

The President says his proposal is driven in part by the need to simplify the Tax Code. Our Tax Code certainly needs simplification, and I hope that becomes a major accomplishment of this Congress. But the question must be asked—how does creating a difference between the 529 contributions already made, which would remain untaxed, and new contributions, which would be taxed, simplify anything? And perhaps more to the point, in addition to simplification, our Tax Code needs predictability.

Before I joined the Senate, I was employed at Husson University in Bangor, ME—an outstanding institution that has a high percentage of students who are the very first in their families to attend college. Every day, I saw how hard parents and students worked, how many sacrifices they made in order to make higher education a reality.

My experience at Husson is the chief reason why one of the very first bills I introduced in this Chamber was the College Affordability and Access Act. That bill called for creating tax-preferred education savings account—the precursor to the Coverdell savings accounts—tax incentives for employer-provided educational assistance, and a tax deduction for student loan interest. Many provisions of that bill are now law but would also be harmed by the President's proposal.

The 529 college savings plan program channels the determination that I saw while working at Husson University and that exists throughout our great country into a tangible benefit built upon the virtues of saving and planning for the future. Changing the tax rules for the 529 accounts would break a promise to families across this country who are working hard to save for their children's educations to help them attain a brighter future.

I urge my colleagues to join me in working to make college more accessible and more affordable and to save the 529 college savings plan program.

I thank the sponsors and managers of this bill.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I rise and thank my colleague from Maine for bringing up this very important issue. I would like her to know that I join with her in a concern that has been raised with the President and this proposal.

As the mom of two young men who are just finishing their years in college—I have one who graduated last year and one who will graduate in May. Very early on we participated in the 529 plan that was offered in the State of Alaska.

In fact, in my early years as a State legislator, it was my legislation in the Statehouse that set up the University of Alaska 529 College Savings Plan, and our boys were direct beneficiaries of that, if you will, because it allowed us, as parents, to begin our savings in a way we knew, when it came time for them to go to schools, we would be as prepared as we could be at that point in time.

I don't think any family is ever really prepared, particularly for the extraordinary costs of higher education. We were fortunate in that our sons chose to attend schools that were not some of the most expensive schools in the country—they attended State universities—but what we paid as a family for their college education, and having two boys in college at the same time puts a stress on families that is very real. So the suggestion that somehow these 529s benefit a very limited group of families across the Nation, I think, belies the obvious.

I think we all try to do the best we can by our kids, and saving for their future when they are very young is important.

So when we have these programs that will allow and encourage families to do this, knowing there will be a tax benefit, it is important. It is important for the families, it is important for the young people looking to their opportunities in college and, hopefully, when they complete their college education, they are not bearing these incredibly crushing financial burdens.

Again, I applaud the efforts of my colleague and I look forward to working with her on this very important issue.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 174 TO AMENDMENT NO. 2

Mr. MERKLEY. Madam President, I rise to ask unanimous consent to set aside the pending amendment and call up Merkley amendment No. 174.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes an amendment numbered 174 to amendment No. 2.

Mr. MERKLEY. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress that the United States should prioritize and fund adaptation projects in communities in the United States while also helping to fund climate change adaptation in developing countries)

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING FUNDING OF CLIMATE CHANGE ADAPTATION PROGRAMS.

It is the sense of Congress that—

(1) President Obama has committed $3,000,000,000 from the United States to the Green Climate Fund, with the objective of helping developing countries deal with the impacts of climate change and advancing mitigation efforts;

(2) many communities in the United States, including many rural and indigenous communities, face social and economic challenges that rival those in developing countries and are also being impacted by climate change;

(3) these communities include indigenous and traditional communities in the Arctic region of the United States;

(4) similar opportunities for adaptation projects exist across rural and other vulnerable communities in the United States; and

(5) the United States should prioritize and fund adaptation projects in vulnerable communities in the United States, including rural and indigenous communities, while also helping to fund climate change adaptation and mitigation in developing countries.

Mr. MERKLEY. Madam President, in very brief format, this amendment is about recognizing that global warming is having an impact on some of the poorest countries around the world, and that the United States should work with these nations in terms of helping them address some of those consequences. But the amendment also notes that we have communities in the United States that are poor and struggling with the impacts of climate change and that we should give much attention to helping those communities address the impacts as well and that these two issues—helping poor countries around the world and helping communities within the United States—are not in conflict with each other in that we should be doing both of these things.

AMENDMENT NO. 125 TO AMENDMENT NO. 2

(Purpose: To eliminate unnecessary tax subsidies and provide infrastructure funding.)

I wish to call up a second amendment, so I ask unanimous consent to set aside the pending amendment and call up amendment No. 125.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes an amendment numbered 125 to amendment No. 2.

Mr. MERKLEY. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of January 22, 2015, under ''Text of Amendments.'')

Mr. MERKLEY. Madam President, this amendment recognizes that construction jobs can play a key role in strengthening our economy, and not just strengthening our economy with current jobs but rebuilding infrastructure or building new infrastructure that will facilitate a very successful economy in the future.

This particular amendment proposes that we not create 4,000 construction jobs in the pipeline but that we create 400,000 jobs rebuilding key infrastructure in a variety of ways across our Nation.

I think as we wrestle with both the current economy and the strength of the future economy, this is an idea well worth considering.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 131 TO AMENDMENT NO. 2

Ms. CANTWELL. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 131.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Washington [Ms. CANTWELL], for herself and Mrs. BOXER, proposes an amendment numbered 131 to amendment No. 2.

The amendment is as follows:

(Purpose: To ensure that if the Keystone XL Pipeline is built, it will be built safely and in compliance with United States environmental laws)

In section 2(a), strike the period at the end and insert the following:

, subject to—

(1) all applicable laws (including regulations);

(2) all mitigation measures that are required in permits issued by permitting agencies; and

(3) all project-specific special conditions listed in Appendix Z of the Final Supplemental Environmental Impact Statement issued by the Secretary of State in January 2014.

Ms. CANTWELL. Madam President, as my colleague said, we are going back and forth on offering amendments to this bill and I hope this process will lead us toward getting this bill wrapped up. I know many of my colleagues have been talking about various aspects of this legislation, and this particular amendment focuses on making sure that if this project goes forward that we meet certain environmental standards.

I can't say how important that is because the first serious delay in the approval process came because a bad route was selected. The pipeline was

originally proposed to go through an aquifer that is critically important to a large percentage of agriculture in the area. So this is very important to me, and that was a very glaring example that we need to get this right.

What was wrong then is that Congress was set to intervene and basically say the State Department was wrong and just go ahead and approve this pipeline. So I feel we are about at that same point again in saying just forget the administrative process and let us go ahead and deem this approved. So if Congress, rather than the administration, approves this pipeline, the American people will lose all the protections and conditions attached as part of the national interest determination.

Just so people understand, according to Executive Order 13337, the State Department can require permits to contain ''such terms and conditions as the national interest may . . . require.'' So the President can decide a pipeline is in the national interest if it is constructed to meet those specific standards.

In this case, the State Department's environmental impact statement outlined hundreds of conditions that should be met to ensure the pipeline is built to the highest safety standard. To quote the environmental impact statement:

If the proposed Project is determined to serve the national interest . . . the applicant would be required to abide by certain conditions listed in this Supplemental EIS and the Presidential Permit.

So these conditions, or mitigation measures, as the report refers to them, are compiled in one section of the report and it highlights the measures TransCanada needs to take to deal with and reduce the impacts when they are operating this pipeline. These are higher standards for environmental and public safety that the company would be obligated to meet.

The problem is the bill before us would authorize the pipeline without those mechanisms and without those conditions. If TransCanada declined to meet these conditions, there would be no legal recourse for the injured parties to take TransCanada to court.

I wish to talk about those conditions that are included in the environmental impact statement so that my colleagues understand what we are talking about when they say they would vote to bypass this process. I will give three examples of the conditions included in the environmental impact statement.

First, along the proposed pipeline there are areas where the terrain is fragile. There has been a lot of discussion of the Sand Hills region of Nebraska and how difficult it would be to site a pipeline on those very fragile sandy soils. The Sand Hills are so fragile that the current route goes around them just to compensate. However, in southern South Dakota and northern Nebraska, there are areas that, according to the environmental impact statement, ''exhibit conditions similar to the Sand Hills Region and are very susceptible to wind erosion.''

Let me read from the appendix about how TransCanada would be required to operate the pipeline in those areas.

This document proves site-specific reclamation plans that itemize construction, erosion control, and revegetation procedures for those fragile areas . . . To reduce the potential impacts related to severe wind and water and erosion, the following summary . . . of best management practices would be implemented during construction, reclamation and post-construction.

This document then goes on to list 16 specific bullet points outlined that TransCanada must meet. These conditions for the Sand Hills-like area along the route include: avoiding wetlands, avoiding erosion-prone areas such as ridgetops, working with landowners to build fences to prevent livestock from the construction, providing compensation to landowners who need to let pastures rest until vegetation can be reestablished.

Most people would agree TransCanada should do these things. I think the American people would say follow the rules and do the things that are required. It makes sense to do these things for the protection of our environment and vulnerable areas and for the landowners whose livelihoods depend on the land around the pipeline. But if S. 1 became law, the State Department would not have the authority to ensure the things I just mentioned—that they build the fences, they compensate the ranchers as outlined, and the conditions be required that the State Department has laid out.

So the State Department, the Fish and Wildlife Service, and TransCanada are working on a plan to ensure the protection of endangered species along the pipeline route and these important things are part of what we want to see addressed. Implementation of an agreement that is designed to avoid harm to these species is what we are trying to make sure of if the President has the authority to issue a permit.

In contrast, the bill we are considering, S. 1, exempts the pipeline from further review under the Endangered Species Act. According to the State Department, the process that is now underway to establish these implementing agreements to protect these vulnerable species would stop—would stop—if this bill became law.

Finally, the conditions would require TransCanada to improve its safety standards. And my colleagues may not know that TransCanada received a ''warning letter'' from the Federal Pipeline and Hazardous Materials Safety Administration for violating pipeline safety regulations over a year and a half ago. As outlined in a September 26, 2013, letter from the administration:

TransCanada experienced a high rejection rate for welding and failed to use properly qualify welders.

So in 1 week alone, 72 percent of TransCanada's welds had to be replaced. After TransCanada's shoddy work came to light, the State Department added 2 new safety conditions to the 57 conditions that the Pipeline and Hazardous Materials Safety Administration had already required.

One of those conditions required TransCanada to hire a third-party contractor to monitor pipeline construction and report back to the U.S. Government whether that construction is sound.

So this new condition was that TransCanada adopt a quality management program to ensure ''this pipeline is—from the beginning—built to the highest standards by both the Keystone personnel and its many contractors.'' But if this legislation is approved, this pipeline and all the conditions I just mentioned fall away. That is why I do believe that, with this legislation, we are acting prematurely. So I am offering this amendment.

Last week we had a very big reminder that pipeline spills do happen when 30,000 gallons of oil spilled into the Yellowstone River in Montana—not the first spill into that river, unfortunately.

So I ask my colleagues, why would we continue on a process without making sure that TransCanada follows the established safety issues on pipelines and we make sure that they comply with these environmental laws?

I hope my colleagues will join me in voting for this amendment. I hope my colleagues will stand with 61 percent of the American people who believe that due process is more important than special interests.

Madam President, I yield to my colleague from Alaska.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, we have a number of amendments pending on both sides of the aisle and there are other Senators who are working with us to offer them tonight. We will be working to set votes on many of these pending amendments tomorrow, with nongermane amendments set at a 60-vote threshold.

So if there are other Senators on either side who have amendments they intend to offer, they should be coming down to the floor to talk with the bill managers and get those amendments pending. We do intend to try to get to the third reading of the bill before the end of the week.

With that, I recognize the Senator from North Carolina, who is with us to offer an amendment.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 102 TO AMENDMENT NO. 2

Mr. TILLIS. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 102.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. TILLIS], for himself and Mr. BURR, proposes an amendment numbered 102 to amendment No. 2.

Mr. TILLIS. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for leasing on the outer Continental Shelf and the distribution of certain qualified revenues from such leasing)

At the appropriate place, insert the following:

TITLE _____—ATLANTIC OCS ACCESS AND REVENUE SHARE ACT OF 2015

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Atlantic OCS Access and Revenue Share Act of 2015''.

SEC. ___02. DEFINITIONS.

In this title:

(1) MID-ATLANTIC PRODUCING STATE.—The term ''Mid-Atlantic Producing State'' means each of the States of—

(A) Delaware;

(B) Maryland;

(C) North Carolina; and

(D) Virginia.

(2) MID-ATLANTIC PLANNING AREA.—The term ''Mid-Atlantic Planning Area'' means the Mid-Atlantic Planning Area of the outer Continental Shelf designated in the document entitled ''Final Outer Continental Shelf Oil and Gas Leasing Program 2012–17'' and dated June 2012.

(3) QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

(A) IN GENERAL.—The term ''qualified outer Continental Shelf revenues'' means all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into on or after the date of enactment of this Act.

(B) EXCLUSIONS.—The term ''qualified outer Continental Shelf revenues'' does not include—

(i) revenues from the forfeiture of a bond or other surety securing obligations other than royalties, civil penalties, or royalties taken by the Secretary in-kind and not sold; or

(ii) revenues generated from leases subject to section 8(g) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(g)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) SOUTH ATLANTIC PRODUCING STATE.—The term ''South Atlantic Producing State'' means each of the States of—

(A) Florida;

(B) Georgia; and

(C) South Carolina.

(6) SOUTH ATLANTIC PLANNING AREA.—The term ''South Atlantic Planning Area'' means the South Atlantic Planning Area of the outer Continental Shelf designated in the document entitled ''Final Outer Continental Shelf Oil and Gas Leasing Program 2012–17'' and dated June 2012.

SEC. ___03. OFFSHORE OIL AND GAS LEASING IN MID-ATLANTIC AND SOUTH ATLANTIC PLANNING AREAS.

(a) IN GENERAL.—The Secretary shall—

(1) not later than July 15, 2016, publish and submit to Congress a new proposed oil and gas leasing program prepared under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) for the 5-year period beginning on July 15, 2017 and ending July 15, 2022; and

(2) not later than July 15, 2017, approve a final oil and gas leasing program under that section for that period.

(b) INCLUSION OF MID-ATLANTIC AND SOUTH ATLANTIC PLANNING AREAS.—The Secretary shall include in the program described in subsection (a) annual lease sales in both the Mid-Atlantic Planning Area and the South Atlantic Planning Area.

(c) PROHIBITION ON LEASING CERTAIN AREAS—

(1) PETITION.—Notwithstanding subsections (a) and (b), the leasing of areas within the administrative boundaries of a Mid-Atlantic Producing State or South Atlantic Producing State that are 30 miles or less off the coast of the State shall be prohibited.

SEC. ___04. DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM MID-ATLANTIC LEASING ACTIVITIES.

(a) IN GENERAL.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) and subject to this section, for each applicable fiscal year, the Secretary of the Treasury shall deposit—

(1) 50 percent of qualified outer Continental Shelf revenues generated from leasing activities in the Mid-Atlantic Planning Area in the general fund of the Treasury; and

(2) 50 percent of qualified outer Continental Shelf revenues generated from leasing activities in the Mid-Atlantic Planning Area in a special account in the Treasury from which the Secretary shall disburse—

(A) 75 percent to Mid-Atlantic Producing States in accordance with subsection (b); and

(B) 25 percent to provide financial assistance to States in accordance with section 200305 of title 54, United States Code, which shall be considered income to the Land and Water Conservation Fund for purposes of section 200302 of that title.

(b) ALLOCATION AMONG MID-ATLANTIC PRODUCING STATES.—

(1) IN GENERAL.—Subject to paragraph (2), the amount made available under subsection (a)(2)(A) from any lease entered into within the Mid-Atlantic Planning Area shall be allocated to each Mid-Atlantic producing State in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each Mid-Atlantic Producing State that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract.

(2) MINIMUM ALLOCATION.—The amount allocated to a Mid-Atlantic Producing State each fiscal year under paragraph (1) shall be at least 10 percent of the amounts available under subsection (a)(2)(A).

(c) TIMING.—The amounts required to be deposited under subsection (a)(2) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.

(d) ADMINISTRATION.—Amounts made available under subsection (a)(2) shall—

(1) be made available, without further appropriation, in accordance with this section;

(2) remain available until expended; and

(3) be in addition to any amounts appropriated under—

(A) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.);

(B) chapter 2003 of title 54, United States Code; or

(C) any other provision of law.

(e) DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES SHALL BE NET OF RECEIPTS.—For each of fiscal years 2017 through 2055, expenditures under subsection (a)(2) and shall be net of receipts from that fiscal year from qualified outer Continental shelf revenues from any area in the Mid-Atlantic Planning Area.

SEC. ___05. DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM SOUTH ATLANTIC LEASING ACTIVITIES.

(a) IN GENERAL.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) and subject to this section, for each applicable fiscal year, the Secretary of the Treasury shall deposit—

(1) 50 percent of qualified outer Continental Shelf revenues generated from leasing activities in the South Atlantic Planning Area in the general fund of the Treasury; and

(2) 50 percent of qualified outer Continental Shelf revenues generated from leasing activities in the South Atlantic Planning Area in a special account in the Treasury from which the Secretary shall disburse—

(A) 75 percent to South Atlantic Producing States in accordance with subsection (b); and

(B) 25 percent to provide financial assistance to States in accordance with section 200305 of title 54, United States Code, which shall be considered income to the Land and Water Conservation Fund for purposes of section 200302 of that title.

(b) ALLOCATION AMONG SOUTH ATLANTIC PRODUCING STATES.—

(1) IN GENERAL.—Subject to paragraph (2), the amount made available under subsection (a)(2)(A) from any lease entered into within the South Atlantic Planning Area shall be allocated to each South Atlantic producing State in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each South Atlantic Producing State that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract.

(2) MINIMUM ALLOCATION.—The amount allocated to a South Atlantic Producing State each fiscal year under paragraph (1) shall be at least 10 percent of the amounts available under subsection (a)(2)(A).

(c) TIMING.—The amounts required to be deposited under paragraph subsection (a)(2) for the applicable fiscal year shall be made available in accordance with that paragraph during the fiscal year immediately following the applicable fiscal year.

(d) ADMINISTRATION.—Amounts made available under subsection (a)(2) shall—

(1) be made available, without further appropriation, in accordance with this section;

(2) remain available until expended; and

(3) be in addition to any amounts appropriated under—

(A) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.);

(B) chapter 2003 of title 54, United States Code; or

(C) any other provision of law.

(e) DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES SHALL BE NET OF RECEIPTS.—For each of fiscal years 2017 through 2055, expenditures under subsection (a)(2) and shall be net of receipts from that fiscal year from qualified outer Continental shelf revenues from any area in the South Atlantic Planning Area.

Mr. TILLIS. Madam President, earlier this week—actually, yesterday and today—the Department of the Interior announced a plan that will allow the permitting in 2017 for offshore oil and gas drilling off the Outer Continental Shelf of our beautiful east coast.

The concern we have with this measure is not unlike the concern my friends may have in Alaska, with steps taken by the administration that actually limit the true potential of these regions. Like Alaska, we have a number of opportunities for offshore oil and

natural gas drilling that have not been exploited in the past, and I am afraid that under the current course and speed of the administration's action, they will not be fully exploited to the benefit of North Carolinians and many east coast States.

That is why Senator BURR and I have sponsored an amendment that directs the administration to take more decisive and more comprehensive action so we can seize the opportunity for North Carolina and many of our neighbor States.

The main reason we are doing this is because I think North Carolina and the east coast can do their part to make our Nation an energy super power. We can also have enormously positive impact on our economy as we move forward. This slide depicts some of the initial estimates for the economic impact that we could have by simply directing the Department of the Interior to issue leases and to allow exploration and ultimately extraction off the coast.

This graphic gives us an idea, from Delaware down to Florida, of the potential jobs creation. We can see that in North Carolina that is 55,000 jobs. It is 55,000 jobs in some of the hardest hit areas of North Carolina, where people are out of work, and the unemployment rate is well above the State average. It is a jobs creation opportunity that we are just waiting to be able to provide to the States with the ultimate authority to decide whether they are going to move forward.

In terms of the economic impact, it is over $190 billion in capital investment and nearly $51 billion in revenue to the Federal Government and to State governments between 2017 and 2035.

This opportunity is something that I hope doesn't go without the full efforts of the State to actually determine how we can do it in an environmentally responsible way.

I was speaker of the house before I came into this great body, and we took the steps to put into place a regulatory framework to allow potential natural gas drilling within the State of North Carolina. We did it in a very responsible way, and we did it in a way that made sure stakeholders had the opportunity—environmentalists, business people, travel and tourism—so we make sure we get it right. I believe we have laid the groundwork with the State. Now we want to do the same thing for the opportunity that we have near the Outer Continental Shelf.

The process will involve the input of several stakeholders. It will involve the input of environmentalists and key stakeholders across the State to make sure we get this right. Ultimately, it gives the States the right to determine whether they want to pursue this—from Florida to Delaware.

The other thing it does is addresses a number of concerns I heard when I was a legislator and since I was speaker. It has to do with one of the greatest assets we have in North Carolina; that is North Carolina's beautiful coast.

This is a picture of a North Carolina beach today. It is beautiful. It is why we have millions of people come visit our coast every year. Based on our amendment, this is a picture of how that same beach will look after we authorize drilling and we are actually creating those jobs. It is that same beautiful beach because we have taken the steps to make sure that any drilling would be beyond the sight line of our beautiful beaches. I believe, as a result, we will have travel and tourism on our side because those jobs create additional opportunity to expand opportunities for travel and tourism.

Then, finally, I want to talk about what good the revenue to the State can do for this very same area. We desperately need increased infrastructure in the eastern part of our State. We desperately need funds to renourish our beaches, and we desperately need funds to clear our inlet and outfit our ports so that North Carolina can play a part in the new shipping patterns that will occur post-Panama Canal upgrade.

So in terms of economics, it is fairly simple. We are looking for about 50 percent of a revenue share, with 37 percent of that going to the States and for the effective regions for items such as inlet clearing and beach renourishment.

We are also looking to have 12.5 percent of the revenues dedicated to the Land and Water Conservation Fund so we can continue the good work of setting aside irreplaceable lands and increase outdoor recreation activities.

I believe this is an opportunity for North Carolina to do its part to make America the energy super power that we need it to be, to improve our economy in North Carolina, and to contribute to improving the economy of this great Nation.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 178 TO AMENDMENT NO. 2

Mr. MARKEY. Madam President, I ask unanimous consent that the pending amendment be set aside and call up Markey amendment No. 178.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. MARKEY] proposes an amendment numbered 178 to amendment No. 2.

Mr. MARKEY. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure that products derived from tar sands are treated as crude oil for purposes of the Federal excise tax on petroleum)

At the appropriate place, insert the following:

SEC. _____. INCLUSION OF OIL DERIVED FROM TAR SANDS AS CRUDE OIL.

This Act shall not take effect prior to 10 days following the date that diluted bitumen and other bituminous mixtures derived from tar sands or oil sands are treated as crude oil for purposes of section 4612(a)(1) of the Internal Revenue Code of 1986.

AMENDMENT NO. 141 TO AMENDMENT NO. 2

Mr. MARKEY. Madam President, I have a second amendment, Markey amendment No. 141. I ask unanimous consent to set aside the pending amendment and call up Markey amendment No. 141.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. MARKEY] proposes an amendment numbered 141 to amendment No. 2.

Mr. MARKEY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To delay the effective date until the President determines that the pipeline will not have certain negative impacts)

At the end, add the following:

SEC. _____. EFFECTIVE DATE.

Notwithstanding subsections (2)(a) and (2)(b), this Act shall not take effect until any consultation, analysis or review required by the National Environmental Policy Act, Endangered Species Act, or any other provision of law that requires Federal agency consultation or review, is completed with respect to whether increased greenhouse gas emissions, including the indirect greenhouse gas emissions over the lifecycle of oil sands crude oil production, and transportation from the diluted bitumen and other bituminous mixtures derived from tar sands or oil sands transported through the pipeline, described in section 2(a), are likely to contribute to an increase in more extreme weather events.

Mr. MARKEY. Madam President, the subject matter of these two amendments is, No. 1, the Canadian oil company that wants to build a pipeline through our country right now is exempt from having to pay taxes into the oilspill liability trust fund. In other words, if there is an actual accident in the United States, if the oil pipe breaks or something happens, the Canadians will not have paid into the oilspill liability trust fund the way every American pipeline company has to do.

So my first amendment would just say that they cannot be exempt from that, and the hundreds of millions of dollars which they are responsible for would have to be put into the trust fund.

The second amendment is an extreme weather amendment. That amendment would call for a requirement and analysis of the impact that global warming would have from the tar sands pollution and would require that we have that scientific analysis just so that we can understand it and its impact on extreme weather events in the United States and across the planet.

We would need both of those amendments to be debated in order to make

sure we fully understand the implications of what is being debated here.

Finally, I wish to say that I note Senator CRUZ from Texas has an amendment which would almost automatically approve any natural gas exports that were going to any WTO country in the world. I think that is a very bad stance for the Senate to take.

We have to debate what the impact of the exportation of natural gas on a mass basis is going to be on the price of natural gas here in the United States—the price that utilities are going to have to pay for natural gas to generate electricity, the speed with which we will be able to transform our automotive sector from oil over to natural gas, the impact on the petrochemical industry and other industries that are now increasingly using low-priced natural gas in our country. We also have to deal with the fact that the Energy Information Agency says that the already-approved export of natural gas will lead to a more than 50-percent increase in domestic natural gas prices for Americans at home.

I understand why the natural gas industry wants to do it, but I think we have to have a big debate here in Congress over the impact that those natural gas imports are going to have, especially if they are approved automatically if they are heading to any WTO country in the world.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 148 TO AMENDMENT NO. 2

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the pending amendment be set aside and I be allowed to call up my amendment, Whitehouse amendment No. 148.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. WHITEHOUSE], for himself, Mr. LEAHY, Mrs. BOXER, Mr. DURBIN, Mr. BROWN, Mr. UDALL, Mrs. SHAHEEN, Ms. BALDWIN, Mr. MURPHY, and Mr. HEINRICH, proposes an amendment numbered 148 to amendment No. 2.

Mr. WHITEHOUSE. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require campaign finance disclosures for certain persons benefitting from tar sands development)

At the end, add the following:

SEC. ___. CAMPAIGN FINANCE DISCLOSURES BY THOSE PROFITING FROM TAR SANDS DEVELOPMENT.

Section 304 of the Federal Election Campaign Act of 1974 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE BY TAR SANDS BENEFICIARIES.—

''(1) IN GENERAL.—

''(A) INITIAL DISCLOSURE.—Every covered entity which has made covered disbursements and received covered transfers in an aggregate amount in excess of $10,000 during the period beginning on December 1, 2012, and ending on the date that is 165 days after the date of the enactment of this subsection shall file with the Commission a statement containing the information described in paragraph (2) not later than the date that is 180 days after the date of the enactment of this subsection.

''(B) SUBSEQUENT DISCLOSURES.—Every covered entity which makes covered disbursements (other than covered disbursement reported under subparagraph (A))and received covered transfers (other than a covered transfer reported under subparagraph (A)) in an aggregate amount in excess of $10,000 during any calendar year shall, within 48 hours of each disclosure date, file with the Commission a statement containing the information described in paragraph (2).

''(2) CONTENTS OF STATEMENT.—Each statement required to be filed under this subsection shall be made under penalty of perjury and shall contain the following information:

''(A) The identification of the person making the disbursement or receiving the transfer, of any person sharing or exercising direction or control over the activities of such person, and of the custodian of the books and accounts of the person making the disbursement or receiving the transfer.

''(B) The principal place of business of the person making the disbursement or receiving the transfer, if not an individual.

''(C) The amount of each disbursement or transfer of more than $200 during the period covered by the statement and the identification of the person to whom the disbursement was made or from whom the transfer was received.

''(D) The elections to which the disbursements or transfers pertain and the names (if known) of the candidates involved.

''(E) If the disbursements were paid out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications, the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to that account during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

Nothing in this subparagraph is to be construed as a prohibition on the use of funds in such a segregated account for a purpose other than covered disbursements.

''(F) If the disbursements were paid out of funds not described in subparagraph (E), the names and addresses of all contributors who contributed an aggregate amount of $1,000 or more to the person making the disbursement during—

''(i) in the case of a statement under paragraph (1)(A), during the period described in such paragraph, and

''(ii) in the case of a statement under paragraph (1)(B), the period beginning on the first day of the preceding calendar year and ending on the disclosure date.

''(3) COVERED ENTITY.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'covered entity' means—

''(i) any person who is described in subparagraph (B), and

''(ii) any person who owns 5 percent or more of any person described in subparagraph (B).

''(B) PERSON DESCRIBED.—A person is described in this subparagraph if such person—

''(i) holds one or more tar sands leases, or

''(ii) has received revenues or stands to receive revenues of $1,000,000 or greater from tar sands production, including revenues received in connection with—

''(I) exploration of tar sands;

''(II) extraction of tar sands;

''(III) processing of tar sands;

''(IV) building, maintaining, and upgrading the Keystone XL pipeline and other related pipelines used in connection with tar sands;

''(V) expanding refinery capacity or building, expanding, and retrofitting import and export terminals in connection with tar sands;

''(VI) transportation by pipeline, rail, and barge of tar sands;

''(VII) refinement of tar sands;

''(VIII) importing crude, refined oil, or byproducts derived from tar sands crude;

''(IX) exporting crude, byproducts, or refined oil derived from tar sands crude; and

''(X) use of production byproducts from tar sands, such as petroleum coke for energy generation.

''(C) TAR SANDS.—For purposes of this paragraph, the term 'tar sands' means bitumen from the West Canadian Sedimentary Basin.

''(4) COVERED DISBURSEMENT.—For purposes of this subsection, the term 'covered disbursement' means a disbursement for any of the following:

''(A) An independent expenditure.

''(B) A broadcast, cable, or satellite communication (other than a communication described in subsection (f)(3)(B)) which—

''(i) refers to a clearly identified candidate for Federal office;

''(ii) is made—

''(I) in the case of a communication which refers to a candidate for an office other than President or Vice President, during the period beginning on January 1 of the calendar year in which a general or runoff election is held and ending on the date of the general or runoff election (or in the case of a special election, during the period beginning on the date on which the announcement with respect to such election is made and ending on the date of the special election); or

''(II) in the case of a communication which refers to a candidate for the office of President or Vice President, is made in any State during the period beginning 120 days before the first primary election, caucus, or preference election held for the selection of delegates to a national nominating convention of a political party is held in any State (or, if no such election or caucus is held in any State, the first convention or caucus of a political party which has the authority to nominate a candidate for the office of President or Vice President) and ending on the date of the general election; and

''(iii) in the case of a communication which refers to a candidate for an office other than President or Vice President, is targeted to the relevant electorate (within the meaning of subsection (f)(3)(C)).

''(C) A transfer to another person for the purposes of making a disbursement described in subparagraph (A) or (B).

''(5) COVERED TRANSFER.—For purposes of this subsection, the term 'covered transfer' means any amount received by a covered entity for the purposes of making a covered disbursement.

''(6) DISCLOSURE DATE.—For purposes of this subsection, the term 'disclosure date' means—

''(A) the first date during any calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000; and

''(B) any other date during such calendar year by which a person has made covered disbursements and received covered transfers aggregating in excess of $10,000 since the most recent disclosure date for such calendar year.

''(7) CONTRACTS TO DISBURSE; COORDINATION WITH OTHER REQUIREMENTS; ETC,.—Rules similar to the rules of paragraphs (5), (6), and (7) of subsection (f) shall apply for purposes of this subsection.''.

Mr. WHITEHOUSE. Madam President, I just wish to speak briefly to this amendment, which I hope might help answer the mystery as to why the first order of business of the new majority in the Senate is S. 1, a bill that allows a foreign corporation to run a pipeline across our country, seizing American farms and ranches along the way. That would not ordinarily seem to be our country's first and highest order of business given all of the issues that we face.

We have seen news reports just today that the legendary Koch brothers are gearing up to spend $900 million in the coming election. We have seen news reports that compare their political operation to the Republican National Committee's political operation—favorably to the Koch brothers as having a bigger political operation.

We know that since Citizens United there has been a torrent of corporate money poured into our elections, and a great deal of it has come from the fossil fuel industry. We know also that beside that torrent of disclosed money has been another torrent of dark money that has poured into our elections. We don't know quite where that has come from, but there are plenty of reasons to suspect and to suggest that money has also come from the fossil fuel industry.

So we have a situation right now where I think reasonable people could look at the facts and draw a sensible inference that the Republican Party has been acquired by the fossil fuel industry as its political subsidiary. If that were the case, then that might be an explanation of why S. 1 does this extraordinary service to a foreign corporation at peril to all of the American farms and ranches and families whose land would be taken from them in order to give this foreign corporation this great boon.

This amendment would require that companies that will make more than $1 million off of the Keystone Pipeline should meet the disclosure obligations that we have voted on before in the Senate. These are disclosure obligations that Republican Senators have often supported in the past.

Indeed, until 2010 and until the Citizens United decision actually showed where the money was coming from and to whom it was going, one of the most ardent and eloquent advocates for disclosure was none other than the distinguished Senator from Kentucky who is now our majority leader. So it would not seem to be out of place to ask for a little bit of disclosure, a little bit of transparency, about where the political contributions went from the corporations that are going to make so much money from this, whether it is more than $1 million made off the pipeline or whether it is opening up the tar sands and having tar sands leases.

So I hope we will have a chance to vote on this, and if we are in favor of transparency and disclosure and voters understanding what is going on around here, this ought to be an amendment we ought to be able to support.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from New Jersey.

Mr. BOOKER. First of all, I want to say how good it is to see the Presiding Officer, and also recognize that he is a member of the nascent Cory caucus, and I respect that quite a bit.

AMENDMENT NO. 155 TO AMENDMENT NO. 2

Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 155.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Jersey [Mr. BOOKER] proposes an amendment numbered 155 to amendment No. 2.

Mr. BOOKER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To allow permitting agencies to consider new circumstances and new information)

At the end of section 2, add the following:

(f) ENVIRONMENTAL IMPACT STATEMENT SAVINGS CLAUSE.—Nothing in subsection (b) relieves any Federal agency of the obligation of the Federal agency to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the obligation of the Federal agency to prepare a supplement to the Final Supplemental Environmental Impact Statement described in subsection (b) in connection with the issuance of any permit or authorization needed to construct, connect, operate, or maintain the pipeline and cross-border facilities described in subsection (a) if there are significant new circumstances or information relevant to environmental concerns and bearing on the environmental impacts resulting from the construction, connection, operation, and maintenance of the pipeline and cross-border facilities, including from greenhouse gas emissions associated with the crude oil being transported by the pipeline.

Mr. BOOKER. Mr. President, I want to say that amendment No. 155 is a very important amendment. It is common sense. It is practical. The National Environmental Policy Act, NEPA as it is known, is one of the most emulated statutes in the world. It is something that many people see as valuable in other countries because NEPA, in fact, by many is referred to as the modern-day environmental Magna Carta.

NEPA regulations require agencies to supplement already-issued environmental impact statements when significant new circumstances or information is found to exist relating to the environmental impact of a project. The pending Keystone bill, however—and quite surprisingly—would deem the final environmental impact statement issued last January to fully satisfy this NEPA requirement going ahead. This would remove the obligation from permitting agencies to supplement any environmental impact statements if significant new circumstances or information is discovered.

This amendment I am putting forward, No. 155, would change that and would preserve a commonsense obligation of agencies to supplement the environmental impact statement for significant new circumstances or information. In other words, if very pertinent information comes forward, it would require there be a need to supplement the environmental impact statement.

For example, if the proposed route of the pipeline were changed, it could mean that drinking water supplies or critical resources would have a higher risk of contamination from a spill. This amendment would simply require consideration of significant changes so we don't go blindly and put natural resources at greater risk without understanding the impact.

This bill is for me common sense. It says, basically, if circumstances change, we should make sure a new environmental impact study is considered.

I would ask my colleagues to support this amendment and not provide special treatment to a foreign company that American companies don't get that could result in harm to fellow Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 102

Mr. BURR. Mr. President, I come to the floor today to pledge my overwhelming support to Senator TILLIS on the Outer Continental Shelf amendment that has been placed on the Keystone bill, and I think it is apparent with the direction the administration is going that they finally realize this is the right thing, but I think codifying that into this bill is important.

AMENDMENT NO. 92 TO AMENDMENT NO. 2

I also come today because many of my colleagues in this body support the Land and Water Conservation Fund. Just to remind some who might not have been here as long, the Land and Water Conservation Fund was created and funded by royalties off of this exploration explosion we have had over decades in this country.

I might say a disappointment to me is that over the life of this trust fund we created, it never received the appropriations that it accrued in a balance. It accrues a certain amount off of royalties and it was directed in statute that money goes to fund the Land and

Water Conservation Fund. Let me say to my colleagues, this is the best organization to choose where to make that investment. This is not about a land grab; this is about providing contiguous pieces of land that have restored value. But this is not about initiatives to create new national parks. It is to protect the infrastructure that is out there in their control, and we have battled for years.

I would love to come to the floor right now and say I want to offer an amendment for full funding for the Land and Water Conservation Fund, which should be $900 million a year, but we appropriate $350 million to $450 million a year to fund it.

Unfortunately I am not here to offer that amendment, although I think it would receive tremendous support in this body, primarily because I would have to find about $8 billion worth of offsets. This is incredible, that we could have a trust fund that is funded with the royalties off of production that has an $8 billion balance but to actually say if we are going to begin to fully fund it, you have to come up with $8 billion worth of offsets because we spent the money on something else. We spent the money on something else, therefore we have got to find an offset.

So I am not coming to the floor today to propose we fully fund it, although I am an advocate of it, and I think many people are.

In a minute I will ask unanimous consent to have amendment No. 92 pending, which is the Burr-Bennet-Ayotte amendment. It is to permanently reauthorize the Land and Water Conservation Fund.

I am sure the President is aware that the program expires the end of September, and we can wait, but I don't think we should wait to reauthorize what I believe is, dollar for dollar, the most effective government program we have. We can save any kind of funding-level fights for another day. The simple truth is this program is a trust fund that is codified in law. So we are not debating whether this exists or doesn't exist. It does exist and every year $900 million in royalties are paid by energy companies that drill for gas or oil in the Outer Continental Shelf and are put into this fund, but for some reason, that group, that conservation effort, only finds what the appropriators are willing to pass on to it.

Our amendment would reauthorize the program itself on a permanent basis, and I am going to ask all of my colleagues to support this amendment.

Mr. President, I ask unanimous consent to set aside the pending amendment to call up amendment No. 92.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina, [Mr. BURR] for himself, Ms. AYOTTE, and Mr. BENNET, proposes an amendment numbered 92 to amendment No. 2.

Mr. BURR. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To permanently reauthorize the Land and Water Conservation Fund)

At the appropriate place, insert the following:

SEC. ___. PERMANENT REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended —

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''During the period ending September 30, 2015, there'' and inserting ''There''; and

(2) in subsection (c)(1), by striking ''through September 30, 2015''.

(b) PUBLIC ACCESS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

''(c) PUBLIC ACCESS.—Not less than 1.5 percent of amounts made available for expenditure in any fiscal year under section 200303 shall be used for projects that secure recreational public access to existing Federal public land for hunting, fishing, and other recreational purposes.''.

Mr. BURR. Mr. President, I have spoken very briefly on this reauthorization because it is a very simple measure. I urge my colleagues, because it is now pending, when we have an opportunity to vote, and I think that will be sooner rather than later on a whole host of amendments, that you take the opportunity to permanently reauthorize a program that is clearly one that benefits this country and our National Treasury.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NO. 115 TO AMENDMENT NO. 2

Mr. COONS. Mr. President, I ask unanimous consent to set aside the pending amendment so that I can call up my amendment No. 115.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. COONS] proposes an amendment numbered 115 to amendment No. 2.

Mr. COONS. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress regarding climate change and infrastructure)

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING CLIMATE CHANGE AND INFRASTRUCTURE.

It is the sense of Congress that—

(1) climate change is already impacting the safety and reliability of the critical infrastructure systems of the United States, including buildings, roads, bridges, tunnels, rail, ports, airports, levees, dams, and military installations through sea level rise, rising temperatures, and more frequent and intense extreme weather events such as droughts, floods, wildfires, and heat waves;

(2) significant energy, industrial and transportation infrastructure in the United States is located near the coast, in floodplains, or in other areas vulnerable to sea level rise;

(3) the impacts to infrastructure described in paragraph (1) have caused tangible economic costs that are likely to increase over time;

(4) it is fiscally prudent to prepare for and seek to mitigate the impacts described in paragraph (1), as it is estimated that every dollar spent on mitigation saves $4 in disaster relief;

(5) the Federal Government self-insures, offers insurance programs such as crop insurance and the national flood insurance program, and, in the case of extreme weather events, also serves as the insurer of last resort for public and private infrastructure;

(6) the Federal Government has a crucial role to play as a partner in working with State, local, tribal, and territorial jurisdictions to help ensure coordinated efforts to keep communities resilient;

(7) the role of the Federal Government should include prioritizing climate resilient projects when administering Federal grants, providing technical support, and sharing of data and information in user-friendly and accessible formats, among other actions;

(8) Federal agency climate change adaptation plans that assess the risk to physical assets and missions of the Federal agencies can help create savings for taxpayers; and

(9) Federal agencies, including the Department of Defense, should quantify the economic value of the physical risks of the agencies from climate change.

Mr. COONS. Mr. President, this amendment recognizes that climate change is not a hoax, that climate change is a reality, and that we need to do some things together to begin to plan for and prepare for the inevitable consequences and impacts on our infrastructure.

As someone who was in local government for a long time before coming to this body—I was a county executive—I have a sense of what it means for our States, our municipalities, and our county governments to have to plan for and deal with the inevitable consequence, the impacts on our local infrastructure of the coming changes through climate change.

I happen to represent the lowest mean elevation State in America, and our Governor Jack Markell and his able folks in the Delaware Department of Natural Resources and Environmental Control have led a grassroots statewide effort to begin planning for the future impacts of climate change. Because of the combination of subsidence and sea level rise, Delaware will see earlier than many States impacts on vital local infrastructure. So whether it is our sewer systems, our roads, our water systems or other infrastructure, we need to begin to plan now to bake resiliency into the future of our community.

Given the unique and important role that the Federal Government plays in financing infrastructure and in responding to disasters such as Superstorm Sandy that destroyed a lot of the infrastructure in the nearby States of New Jersey, New York, and Connecticut, we need to be mindful of what these costs could be.

The U.S. Department of Defense is already preparing plans to understand how climate change will impact its infrastructure. My thinking is that the entire Federal Government should make responsible, timely, and thoughtful plans to assess and to prepare for prudent mitigation of the future impacts of climate change on our infrastructure. So I am hopeful that this will be among the many amendments that will be taken up, debated, discussed, and passed in the coming hours and days.

I am grateful that we continue to have an open amendment process and the opportunity to discuss and debate the issues in front of us, and I very much look forward to passage of Coons amendment No. 115.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, two Senators from Delaware, back to back—a double shot.

AMENDMENT NO. 120 TO AMENDMENT NO. 2

Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up my amendment No. 120.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER], for himself, Mr. DONNELLY, and Ms. HEITKAMP, proposes an amendment numbered 120 to amendment No. 2.

Mr. CARPER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the Internal Revenue Code of 1986 to extend the credits for new qualified fuel cell motor vehicles and alternative fuel vehicle refueling property)

At the appropriate place, insert the following:

SEC. 3. EXTENSION OF CREDIT FOR NEW QUALIFIED FUEL CELL MOTOR VEHICLES.

(a) IN GENERAL.—Paragraph (1) of section 30B(k) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2014'' and inserting ''December 31, 2019''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property purchased after December 31, 2014.

SEC. 4. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) IN GENERAL.—Subsection (g) of section 30C, as amended by the Tax Increase Prevention Act of 2014, is amended by striking ''December 31, 2014'' and inserting ''December 31, 2019''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2014.

SEC. 5. OFFSET.

(a) 100 PERCENT CONTINUOUS LEVY ON PAYMENT TO MEDICARE PROVIDERS AND SUPPLIERS.—Paragraph (3) of section 6331(h) is amended by striking the period at the end and inserting '', or to a Medicare provider or supplier under title XVIII of the Social Security Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made on or after the date which is 180 days after the date of the enactment of this Act.

Mr. CARPER. Mr. President, I appreciate this opportunity today.

My colleague from Delaware, Senator COONS, knows that Delaware, until 4 years ago, developed and built more cars, trucks, and vans per capita than any other State in America. We lost within literally 6 months a GM plant that employed thousands of employees and a Chrysler plant that employed thousands of people. Those companies went into bankruptcy.

For a number of years before that and since then, I have gone every year in January to the North American auto show in Detroit. I remember being there half a dozen or so years ago and walking through the demonstrations—they call them the stands—where the auto companies, whether they happen to be domestic, Ford, Chrysler, GM, or companies from Europe or Asia, had on display their vehicles, in some cases the vehicles they were introducing that year for the next buying year, and in some cases concept cars that may never be built but are just interesting, exciting new technologies that are represented in those vehicles.

I have never forgotten about a half dozen years ago walking through this enormous cavernous auto show and coming across what they call the stand where a number of the Honda vehicles were being displayed. One of them was in a makeshift garage. I thought that was interesting. You don't see makeshift garages in the Detroit auto show.

I asked the Honda people, what is this about? They said, imagine a vehicle that is in a garage alongside a house. The technology in this vehicle will actually provide for the propulsion of that vehicle, propel the vehicle, and the fuel this vehicle uses will also cool the house next to this garage in the summer and warm and heat this house in the winter. I said, you are kidding. I said, what kind of technology is this? He said, this is fuel cells. I said, no kidding. Are you really serious about this? He said, yes, we are.

As it turns out, a few years after that, I was back in Delaware at Dover Downs. A lot of people think of Dover Downs now because we have musical festivals. Firefly was there, and we had 80,000 people there. We also have 80,000 people show up for a couple of Sundays every year for the auto show.

A couple of years ago, I was at Dover Downs, and I had a chance to drive around the Monster Mile when no other cars were racing. I drove a GM minivan. The thing that was unique about the GM minivan was how much it cost. I have a Chrysler Town & Country minivan that has about 386,000 miles on it. The vehicle I drove that day had less than 1,000 miles on it, and it was powered by fuel cells.

I said to the guy I was driving with, how much does this vehicle cost if I wreck it? He said, probably $1 million. I said, I better be careful. And right about then somebody came out of the infield and drove right in front of me and scared the guy next to me to death. I was able to avoid a crash.

GM, Chrysler, and Ford have put a lot of money into fuel cell vehicles. One of the people who helped to run GM for a number of years, a fellow named Tom Davis, a longtime friend, when he stepped down from GM several years ago ran the part of the company that dealt with light trucks and SUVs. Almost half of their revenue was generated from those sources.

Earlier this month he and I talked about the future of the auto industry and GM in particular. I said, what do you think the future is for providing propulsion for cars? Is it like the hybrid electric? He said, no, it is not. I said, is it like the diesel electric? He said, no, it is not. I said, is it pure electric? He said, no, it is not. I have said for years that the future is fuel cells. I said, no kidding. That is just like I saw at the auto show years ago and just like the fuel-cell powered minivan I drove at Dover Downs a couple of years after that. He said, that is the future.

It turns out in Japan they have a word that actually means future that they use to describe this technology, and it is called ''mirai.'' Honda and Toyota are betting a little bit of their money—actually quite a bit—just as some of our domestic auto companies are betting some money of their own.

The great thing about this technology is that it reduces the consumption of oil. We are still the leading consumer of oil in the world. A lot of our oil is from foreign sources, and some of it is unstable. I think some of the countries use our money to harm us. This technology has the ability to reduce our dependence on that foreign oil from unstable countries. It has the ability to further clean our air and to offer a great driving experience. I personally experienced it myself all those many years ago in Dover Downs on the Monster Mile.

What I want do today is call up an amendment that will help us to seize the day and to take this technology, which is ready now, to be made commercial and to be introduced on both coasts and across the country in order to provide fuel cell vehicles and to help give it a little push, if you will, through the Tax Code to encourage them to be purchased by our consumers.

There are actually two parts to my amendment. One of those is to provide a $4,000-a-year tax credit for alternative fuel vehicles. In this case I am talking about fuel cells, but it could be electric, and it could be others as well.

The second half of the amendment is to provide the infrastructure. We have heard about fueling stations. Well, these would be infrastructures that would include fueling stations for fuel-cell-powered vehicles.

It is a two-fold amendment. It reduces our dependence on foreign oil, especially from unstable sources. It provides for new investment and for creation of jobs for that new investment. It is something that would help consumers, it would help our domestic auto industry, and it would enable us to compete with the rest of the world.

There are two parts to this amendment—a tax credit of about $4,000 for each vehicle for 5 years, and then an investment tax credit of 30 percent to enable us to build the fueling stations. We have gas and diesel stations all across the country. We need alternative fueling stations, if you will, for these alternative vehicles if they are to realize their potential and we are to realize ours.

Later in the week, I will ask to have the opportunity to offer this amendment, and I ask that my colleagues keep these arguments in mind, and if they see fit, to support this amendment. I hope they will.

I thank the Presiding Officer, and I yield the floor.

AMENDMENT NO. 133 TO AMENDMENT NO. 2

Ms. HEITKAMP. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 133.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Ms. HEITKAMP], for herself, Mr. DONNELLY, and Mr. COONS, proposes an amendment numbered 133 to amendment No. 2.

Ms. HEITKAMP. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress that the Internal Revenue Code of 1986 should be amended to extend the credit with respect to facilities producing energy from certain renewable resources)

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING 5-YEAR EXTENSION OF CREDITS WITH RESPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.

(a) FINDINGS.—Congress finds that—

(1) the energy policy of the United States is based on an all-of-the-above approach to production sources;

(2) an all-of-the-above approach reduces dependence on foreign oil, increases national security and creates jobs;

(3) smart investments in renewable resources are critical to increase the energy independence of the United States, reduce emissions, and create jobs;

(4) wind energy is a critical component of an all-of-the-above energy policy and has a proven track record of creating jobs, reducing emissions, and provides an alternative and compatible energy resource to the existing generation infrastructure of the United States;

(5) the wind energy industry and utilities require long-term certainty regarding the Production Tax Credit for project planning in order to continue build out of this valuable natural resource; and

(6) the stop-start unpredictability of short-term Production Tax Credit extensions should be avoided, as short-term extensions have disrupted the wind industry, slowing the ability of the wind industry to cut costs, as compared to what would have occurred with a long-term, predictable policy in place.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) section 45(d) of the Internal Revenue Code of 1986 should be amended by striking ''January 1, 2015'' each place it appears and inserting ''January 1, 2020'' in—

(A) paragraph (1);

(B) paragraph (2)(A);

(C) paragraph (3)(A);

(D) paragraph (4)(B);

(E) paragraph (6);

(F) paragraph (7);

(G) paragraph (9); and

(H) paragraph (11)(B);

(2) clause (ii) of section 48(a)(5)(C) should be amended by striking ''January 1, 2015'' and inserting ''January 1, 2020''; and

(3) the amendments that would be made by paragraphs (1) and (2) should take effect on January 1, 2015.

Ms. HEITKAMP. Keystone has been described two ways down here, an energy bill and a jobs bill—economic development offering economic opportunity. I don't think there could be an amendment that is offered that would fit more both slots of the description of the Keystone bill than the amendment that I am proposing, amendment No. 133.

This is a bipartisan proposal that has always been supported by both sides of the aisle, and quite honestly, it has tremendous support across the country from the American people. Quite simply what the amendment does is to provide that it is the sense of the Senate that we should extend the production tax credits for the next 5 years to give certainty to alternative energy companies, particularly to wind energy companies. It would basically lay down the marker that this is an important part of our energy and jobs future. Importantly, as we have watched the ups and downs of our tax policy, or lack thereof, in the Senate and Congress, we have seen short-term extensions—or as we call them, extenders—being passed in the last moments of Congress, which does not give the certainty we need to provide the incentives that are included in those extenders.

This sense of the Senate—to the extent it becomes legislation—would, in fact, for the first time give us an opportunity to provide certainty with a glidepath out, and everyone understands that eventually this industry is going to have to stand alone.

I wish to talk about the importance of the wind energy industry, not just from the energy standpoint but from the jobs standpoint. Today the wind energy industry sustains approximately 73,000 jobs and directs over $17.3 billion a year in private investment to the U.S. economy, including thousands of well-paid wind manufacturing jobs at over 500 factories in 43 States that supply the United States industry.

The United States currently has over 60,000 megawatts of installed capacity, and according to the American Wind Energy Association and USDA's Energy Information Administration, the United States produced over 167 billion kilowatts of wind power last year alone.

If my colleagues on both sides of the aisle are serious about this being a jobs bill and serious about this being an energy bill, then they you will want to vote in favor of this amendment. Wind energy and the continued buildout of additional capacity in this country is an absolute critical piece of the ''all of the above'' energy policy. Every person in this building and every person you talk to about what their energy policy is will say all of the above. That has to have meaning, and it has to include this important and critical infrastructure and this important and critical tax credit for wind energy.

The other benefit of this amendment is—as you have heard, we have 43 States somehow involved in the manufacture and production of equipment in this industry, but we have over 1,000 utility-scale wind projects, which represent over 62,000 megawatts and over 46 wind turbines and are installed across 39 States and Puerto Rico. There are also more than 500 wind manufacturing facilities spread across those 43 States.

I am a little bias because we in North Dakota like to say we are the Saudi Arabia of wind, and wind is a critical part—in fact 15 percent—of our capacity. We think we could do a lot more, but I will tell you the economic impact just in my State. A lot of you know the great energy renaissance that is going on in America that involves the development of fossil fuels—North Dakota being the second largest oil and gas producer with the shale development.

What you don't know is that North Dakota truly represents all of the above. I want to talk about what we do in wind before I close out here. We have almost 1,600 megawatts of wind capacity installed and another 740 megawatts under construction. The industry has invested over $3.4 billion in my State with annual lease payments—and these are to farmers who are grateful for that additional revenue. The towers are on their property and over $5 million of lease payments goes back to farmers.

I talked to farmers all across North Dakota who are proud that they are part of the energy renaissance in our State and grateful for the additional revenue.

We have two educational institutions in our State that have wind energy training centers and do tremendous jobs training the workforce for additional wind energy. The wind energy industry supports close to 3,000 jobs in North Dakota, and in a State of around 700,000 people, that is a significant factor. In 2013 wind energy was 15 percent.

These are numbers that—I saw the Presiding Officer grin when I said that

North Dakota is the Saudi Arabia of wind because I think he is thinking that Colorado might be the Saudi Arabia of wind. I know that the Presiding Officer is a great supporter of wind energy as well.

But when we do these stops and starts, when we don't give a constant and predictable policy, we are living hand to mouth. Maybe we are making some decisions to deploy resources in a way that meets with the congressional schedule and doesn't meet with the business-like or orderly introduction and continuing development of this industry.

If you are looking for a germane amendment that addresses both jobs and energy, this is a perfect amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 124 TO AMENDMENT NO. 2

Mr. CARDIN. Mr. President, I ask unanimous consent that the pending amendment be set aside so I may be able to offer my amendment, amendment No. 124.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Mr. CARDIN] proposes an amendment numbered 124 to amendment No. 2.

Mr. CARDIN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify that treaties with Indian tribes remain in effect)

At the appropriate place, insert the following:

SEC. __. NO EFFECT ON INDIAN TREATIES.

Nothing in this Act may change, suspend, supersede, or abrogate any trust obligation or treaty requirement of the United States with respect to any Indian nation, Indian tribe, individual Indian, or Indian tribal organization, including the Fort Laramie Treaties of 1851 and 1868, without consultation with, and the informed and express consent of, the applicable Indian nation, Indian tribe, individual Indian, or Indian tribal organization as required under Executive Order 13175 (67 Fed. Reg. 67249) (November 6, 2000).

Mr. CARDIN. Mr. President, my amendment states that S. 1 may not ''change, suspend, supersede, or abrogate any trust obligation or treaty requirement of the United States without consultation with, and the informed express consent of, any affected Indian nation, Indian tribe, individual Indian, or Indian tribal organization.''

The need for this amendment becomes particularly relevant because on January 11 of this year, the Great Plains Tribal Chairman's Association wrote to President Obama to express the association's unequivocal opposition to the Keystone XL Pipeline.

The association speaks on behalf of 16 sovereign American Indian tribes and asserts that the pipeline violates the Fort Laramie Treaties of 1851 and 1868.

I am not taking a legal position on whether the assertion is correct. Rather, I think it is important that the Senate go on record that our trust obligations and treaty requirements, which are with sovereign Nations, must be honored and that any changes to those obligations may only occur with consultation and their consent.

I ask unanimous consent that the letter dated January 11, 2015, from the Great Plains Tribal Chairman's Association and the Association's resolution regarding the KXL pipeline be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GREAT PLAINS TRIBAL CHAIRMAN'S ASSOCIATION,
Rapid City, SD, January 11, 2015.

Re Veto Legislation to Approve the Keystone XL Pipeline and DO NOT Approve a Permit for the Pipeline.

Hon. BARACK OBAMA,
President, United States of America, Washington, DC.

DEAR PRESIDENT OBAMA: The Great Plains Tribal Chairman's Association (GPTCA) is made up of the 16 Sovereign American Indian Tribes in the States of North Dakota, South Dakota and Nebraska. All of our Tribes have signed Treaties with the United States in which the United States pledged to protect Indian Tribes, guarantee the right to Self-Government and obligated itself to undertake Trust Responsibility. The Great Plains Tribal Chairman's Association stands in solidarity with the First Nations of Canada and with Tribal Nations in the United States in opposing the Keystone XL pipeline.

We are writing to alert you that TransCanada Keystone Pipeline, LP (TransCanada) is in the midst of the recertification process of its 2010 permit from the South Dakota Public Utilities (SDPUC) for the Keystone XL pipeline. While we are aware the Nebraska Supreme Court issued a decision to vacate a lower court decision that held a Nebraska statute concerning the Keystone XL pipeline unconstitutional, we write to urge you to consider the fact that TransCanada's permit to traverse South Dakota is still under review and does not authorize construction of the project in South Dakota unless and until the SD PUC grants certification.

Four Federally Recognized Tribes have signed on as Party Intervenors in the SD PUC proceedings as well as numerous Native and nonnative concerned citizens. The Tribes include the Standing Rock Sioux Tribe, the Cheyenne River Sioux Tribe, Rosebud Sioux Tribe and the Yankton Sioux Tribe. Other Great Plains Tribes are poised to comment and are monitoring the proceedings. The pipeline is planned to traverse through our homelands that still possess substantial treaty obligations, cultural and natural resources and water rights for all the Great Plains tribes. These are also the homelands of numerous animals, birds and fish including several endangered species.

Under South Dakota law, TransCanada must declare that the conditions under which the permit was issued in 2010 remain the same despite submitting along with its application a matrix of 30 Changed Conditions. These 30 Changed Conditions show that significant design and construction changes are planned for the pipeline that make it substantially different in our eyes. The 2010 permit was also issued with 50 Special Permit Conditions that TransCanada also must prove it still meets before it can legally commence construction of the project. While there is an evidentiary hearing currently set for May 2015, it is unclear when a final decision will be issued in that case.

We therefore urge you, consistent with your stance on the previously pending Nebraska litigation, to refrain from making any decision regarding whether the Keystone XL pipeline would be in the national interest until you have all the necessary facts before you. Tribal leaders request you deny the permit as contrary to the national interest.

It is the position of the GPTCA that your administration does in fact have incontrovertible evidence that the proposed Keystone XL pipeline would be a detriment to the American public and the national interest regardless of whether the SD PUC ultimately authorizes construction under TransCanada's 2010 permit due to the risks the project poses regardless of the particular route through South Dakota. The GPTCA urges you to deny the Presidential Permit for the reasons set forth in the attached GPTCA Resolution among others. However, should you have reservations about denying the Presidential Permit at this time, please grant South Dakota the same respect you accorded Nebraska and refrain from making your decision until after the legal processes regarding the South Dakota permit have been resolved. We strongly urge you to veto any legislation passed by Congress that mandates the issuance of a presidential permit to TransCanada. We believe, consistent with federal separation of powers, that a decision to deny TransCanada a federal permit must be made by your Executive branch and it is not appropriate for legislation.

We further assert that construction of any pipeline violates the Fort Laramie Treaties of 1851 and 1868, which impact the greater population of the Oceti Sakowin or the Seven Council Fires of the Lakota, Dakota and Nakota Tribes. We are known to many as the Great Sioux Nation and are the keepers of the sacred, cultural and natural resources located in the KXL corridor. Literally, thousands of sacred and cultural resources that are important to our life-ways and for our future generations will potentially be destroyed or compromised by the pipeline construction. Many of these sacred sites have not been surveyed by outsiders less they be looted or plundered but are known to those designated by our people considered to be sacred keepers of this knowledge. The Programmatic agreement entered into for compliance with the National Historic Preservation Act acknowledges that construction of the pipeline would cause destruction to many sacred and cultural sited.

With regards to our tribal federally reserved water rights in the Great Plains Basin, the pollution risk via benzene and other carcinogens from the tar sands sludge spilling into the tributaries that lead into the Missouri River or leaching into the Oglala Aquifer, should a pipeline break occur, is too great. The Missouri River is the source of drinking water for many communities along the Missouri River main-stem. The Oglala Aquifer supplies drinking water throughout the Great Plains region. All of this development further impacts reserved rights of our Oceti Sakowin which were unceded by treaties, including the right to live in a safe manner and be in control of our human, cultural and natural resources as outlined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Consultation has not occurred in a manner that recognizes free, prior and informed consent for the construction of this

pipeline. We believe it is our Human Right to live safely on our homelands with clean water and lands.

Very importantly, the KXL Pipeline and the continued development of the Alberta tar sands will increase the carbon footprint in our sacred lands for the enrichment of foreign countries and oil companies. As you know, climate change will impact and affect all of us including the generations to come unless we do something to stop it now. The Oceti Sakowin tribes are making important strides toward renewable energy with the Oceti Sakowin Power Project (OSPP) that recognizes fossil fuels are relics that contribute to phenomenal climate change. The OSPP leaders met with the White House representatives in our effort to turn the tide against globing warming through solar and wind development on our lands. We do not have to be held prisoners of fossil fuels but can create stories of redemption for Mother Earth through exciting renewals development, not in the future but now.

Because of the dire concerns outlined above, we request an emergency meeting with Department of Interior Secretary Sally Jewell, who as our Trustee, has a responsibility to hear directly from tribal leaders in a government-to-government meeting. We are prepared to put forth our concerns for inclusion in the forthcoming Final Environmental Impact Statement (FEIS) regarding the impacts the Keystone XL pipeline may have on Tribal homelands as well as our sacred sites, cultural resources, natural resources and water rights protected by treaty and other agreements.

The Executive Director of the GPTCA, Ms. Gay Kingman-Wapato, is the contact for the GPTCA and is empowered to work with your administration staff to coordinate a meeting at Secretary Jewell's earliest convenience. She can be reached at Cell: 605–484–3036 or e-mail, Kingmanwapato@rushmore.com

Sincerely,

JOHN STEELE,
Chairman.

RESOLUTION NO. 30–9–28–11

GREAT PLAINS TRIBAL CHAIRMAN'S ASSOCIATION (GPTCA)

Opposition to Keystone XL (''Keystone II'') Pipeline now being considered for authorization by the United States Department of State, on the basis that construction of such pipeline is not in the national interests of the United States

Whereas, The Great Plains Tribal Chairman's Association (GPTCA) is composed of the elected Chairs and Presidents of the 16 Sovereign Indian Tribes and Nations recognized by Treaties with the United States that are within the Great Plains Region of the Bureau of Indian Affairs; and

Whereas, The Great Plains Tribal Chairman's Association was formed to promote the common interests of the Sovereign Tribes and Nations and their members of the Great Plains Region which comprises the states of North Dakota, South Dakota, Nebraska; and

Whereas, The United States has obligated itself both through Treaties entered into with the sovereign Tribes and Nations of the Great Plains Region and through its own federal statutes, the Snyder Act of 1921 as amended, the Indian Self-Determination Act of 1976 as amended, and the Indian Health Care Improvement Act of 1976 as amended; and

Whereas, Indian Tribes are governments that pre-date the United States, and through the Indian Commerce, Treaty and Apportionment Clauses and the 14th Amendment, the United States recognizes the status of Indian Tribes as sovereigns and the status of American Indians as tribal citizens; and

Whereas, In treaties, the United States pledged to protect Indian Tribes, guaranteed the right of Tribal self-government, and has undertaken a trust responsibility to promote the viability of Indian reservations and lands as permanent homelands for tribes; and,

Whereas, On September 28, 2011, the Tribal Chairmen and the Tribal Council representatives from the Tribal Nations that are members of the Great Plains Tribal Chairman's Association, have been meeting at the GPTCA/BIA/USACE Tribal Water Management Summit, discussing issues of great importance to the Indian Tribal Nations of the Great Plains Region and their members; and

Whereas, a major oil transmission pipeline is planned to extend from northern Alberta, Canada, from areas that have sand mixed with tar and oil, called ''tar sands'', to refineries in the United States; and

Whereas, the route of the pipeline, called Keystone II, or Keystone XL, because it is the second oil transmission pipeline to be constructed by the same company that built the first Keystone pipeline, crosses through Indian country in northern Alberta, Saskatchewan, Montana, North Dakota, South Dakota and Nebraska, near and potentially over, many culturally significant areas for Tribal Nations within those provinces and states; and

Whereas, based on the relatively poor environmental record of the first Keystone pipeline, which includes numerous spills, U.S. regulators shut the pipeline down in late May, 2011, and, therefore, based on the record of the first Keystone pipeline, and other factors, it is probable that further environmental disasters will occur in Indian country if the new pipeline is allowed to be constructed; and

Whereas, the First Nations of Canada, representing the vast majority of First Nations impacted by ''tar sands'' development, have unanimously passed resolutions supporting a moratorium on new ''tar sands'' development and expansion until a ''cumulative effects management system'' is in place, and are also in opposition to the pipeline; and

Whereas, many U.S. Tribal Nations are also in opposition to the Keystone XL pipeline, including several Tribal Nations in the Great Plains, because it would threaten, among other things, the Oglala aquifer and other major water aquifers, rivers and water ways, public drinking water sources, including the Mni Wiconi Rural Water System, agricultural lands, animal life, cultural sites, and other resources vital to the peoples of the region in which the pipeline is proposed to be constructed; and

Whereas, Indian tribes including the Affiliated Tribes of Northwest Indians are also in opposition to the Exxon-Imperial ''Heavy Haul'' proposal to transport ''tar sands'' equipment through the Nez Perce Reservation and across scenic highways, and several Indian tribes have joined in litigation to stop this proposal; and

Whereas, the pipeline is unnecessary as a number of other pipelines are not at full capacity to carry oil from Canada to refineries in the U.S., and the oil is also not likely to end up on the U.S. market but will be exported to foreign countries; and

Whereas, Tribal Nations and First Nations within Indian country near the route of the proposed pipeline have already stated their opposition to the proposed route of the pipeline, and because of earlier opposition from both Tribes and environmental groups, a supplemental environmental impact statement has been required by the United States Environmental Protection Agency from the proposed operators of the pipeline, a draft of which is now available for public comment; and

Whereas, since the pipeline is designed to cross the U.S.-Canadian border, the United States Department of State is the lead U.S. agency in evaluating whether the pipeline should be allowed to be constructed in the U.S.; and

Whereas, the First Nations of Canada and Tribal Nations within the U.S. have a long history of working to ensure protection of their environment, and the Keystone XL pipeline poses grave dangers if it is constructed; and

Whereas, the U.S. Department of State is continuing to accept public comments until October 7, 2011, but despite the concerns of the numerous Tribal Nations and the First Nations of Canada has recently received notice from the U.S. Environmental Protection Agency of a ''Finding of No Significant Impact'' from the proposed pipeline; and

Whereas, the U.S. Department of State did not properly consult with the Tribes along the route of the Keystone XL Pipeline and, as a result of the mechanisms used for what consultation was provided, the affected Tribal Nations were not provided the opportunity for ''free and informed consent'' regarding the construction of the pipeline; and

Whereas, the GPTCA hereby urges all its member Tribal Nations to submit comments to the U.S. Department of State regarding the Keystone XL project as not in the tribal nor the national interest; and

Whereas, Tribal Government Chairs and Presidents, Traditional Treaty Councils, and US property owners, met with the First Nations Chiefs of Canada, impacted by TransCanada's proposed Keystone XL tar sands pipeline and tar sands development present at the Rosebud Sioux Tribe Emergency Summit, September 15–16, 2011, on the protection of Mother Earth and Treaty Territories, developed the Mother Earth Accord for sign on by all First Nations and Tribal Nations: Now, therefore, be it

Resolved, that the Great Plains Tribal Chairman's Association stands in solidarity with the First Nations of Canada and with Tribal Nations in the United States in opposing the Keystone XL pipeline and the Exxon-Imperial Heavy Haul proposal and their negative impacts on cultural sites and the environment in those portions of Indian country over and through which it is proposed to be constructed, and disagrees with the Finding of No Significant Impact issued by the U.S. Environmental Protection Agency, and agrees to file these comments regarding this opposition to the Keystone XL pipeline with the Secretary of State as soon as possible; and

Be it further resolved that the Great Plains Tribal Chairman's Association approves the Mother Earth Accord among the First Nations of Canada and the Tribal Nations within the United States; and

Be it further resolved that the United States is urged to reduce its reliance on the world's dirtiest and most environmentally destructive form of oil—the ''tar sands''—that threatens Indian country in both Canada and the United States and the way of life of thousands of citizens of First Nations in Canada and American Indians in the U.S., and requests the U.S. government to take aggressive measures to work towards sustainable energy solutions that include clean alternative energy and improving energy efficiency; and

Be it finally resolved that the Great Plains Tribal Chairman's Association requests a meeting with the Tribal Leaders and Hilary Clinton, Secretary of State, and the Administration to present the Mother Earth Accord and voice the concerns of the US Tribal Nations and the First Nations of Canada opposing the construction of the Keystone XL Pipeline across Treaty Lands as not in the national interest: Now, therefore be it finally

Resolved that this resolution shall be the policy of the Great Plains Tribal Chairman's Association until otherwise amended or rescinded or until the goal of this Resolution has been accomplished.

CERTIFICATION

This resolution was enacted at a duly called meeting of the Great Plains Tribal Chairman's Association held at Rapid City, SD on September 28, 2011 at which a quorum was present, with 10 members voting in favor, 0 members opposed, 0 members abstaining, and 6 members not present.

Dated this 28th day of September, 2011.

Mr. CARDIN. With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE OF THE UNION ADDRESS

Mr. COONS. Mr. President, I come to the floor to speak about President Obama's State of the Union Address last week. It was a speech that I believe laid out a positive and forceful agenda for strengthening our middle class and for accelerating our Nation's economic recovery.

Over the past year, our Nation's economic progress has become unmistakable and undeniable. In our home State of Delaware, more people are working. People spend much less time looking for work, and job growth has been the strongest it has been since the 1990s.

Nationally, we are amidst the longest period of sustained private-sector job growth on record. Of particular interest to me is that our manufacturing sector has come back and come back strongly as manufacturers have created nearly 800,000 jobs in the last 4 years—jobs that make up the foundation of our 21st century middle class and our economy.

Our unemployment rate has dropped to its lowest level since before the great recession. Our growing private sector is not just creating jobs now. They are also laying the foundation for the jobs of the future. As test scores continue to improve, high school graduation rates reach record highs, and, as our President said, ''More Americans finish college than ever before,'' we are laying a path that ensures that future generations of Americans can thrive as well.

But our work remains unfinished. Although we are right to turn the page on the crisis here at home, crises do remain real in the lives of far too many Americans—families I listen to who are struggling to get into and stay in our middle class. For many in the middle class, wages have remained stubbornly stagnant as incomes for the wealthy have continued to grow. At the same time, too many Americans just stopped looking for work altogether during the recession and haven't begun that job search again. So we have a lot of work to do together to ensure that the middle class experiences the benefits of this recovery.

On that note, I appreciated President Obama's call for an agenda that would do a lot to strengthen our middle class. Although this isn't what we will hear about on the news, many of these ideas should enjoy bipartisan support. I wish to spend a few minutes on some of the areas that I think are ripe for bipartisan cooperation and that would go a long way toward actually helping middle-class families and our Nation as a whole.

First, it is no secret to anyone that our country's infrastructure is badly outdated and in need of repair. From our ports and roads, to our bridges and railways, we have steadily racked up a national debt of investment that we will need to pay for. The only question is when and how we do it. Historically, infrastructure—fixing roads and bridges and ports and railways—has not been a partisan issue. It is something that has been a core value of our Federal Government from its very founding. It is in no small part what the Federal Government was created to help do.

Last Tuesday the President laid out ideas for thinking more creatively about how to make these core investments—from improving efficiency to bringing private capital off the sidelines—and I am encouraged to hear Republican colleagues discussing infrastructure as an initiative they can work on with us. So let's get this done. Let's solve our highway trust fund challenges for good and make the long-term investments that will put people back to work and strengthen our Nation's economic backbone.

Second, the President's proposal to expand access to community colleges is an initiative that I hope will spark a broader discussion about how to make higher education more accessible and more affordable. I understand there is real disagreement here about how best to pay for it or how wide its scope should be, but that is what we can and should work on together.

We all know that higher education is necessary to ensure Americans have the skills they will need in the 21st century. We know community colleges can and should play a central role in achieving that mission. In manufacturing in particular, community colleges such as Delaware Tech in my home State play a central role in partnering with local businesses to create a talent pipeline that sustains a community and its economy. In Delaware the SEED and Inspire scholarships give students who are willing to work hard the chance to go to college and to learn the skills that will help them to contribute to Delaware's economy after they finish school. We can replicate Delaware's example across the country and find ways to work together to make community college and further higher education affordable and accessible. So let's work on this together.

Lastly, the President laid out some commonsense tax and work proposals to help give middle-class families more of a realistic leg up. Expanding the tax credits for families with children and streamlining childcare support makes sense to me. Making it easier for middle-class families to save for their kids' college education and to save for retirement at the same time would go a long way toward helping families to plan for the long term.

Around the country, too many of our work places lack family and medical leave policies that appreciate what it really takes to raise a family and live a healthy life. The President's proposal to work with States to improve their policies would be a great step and would help those communities that choose to, to create policies that suit their own local situations.

Let's work together on these ideas. Let's do something for middle-class families in our country. With a Republican Congress and a Democratic White House, we need to come together if we are going to get anything meaningful done. As President Obama made clear, we have a lot of important and difficult work to do. Our economy has come a long way from the great recession, but there is still work to do to strengthen our middle class. There is still work to do to broaden the opportunity that has always been at the heart of the American dream. We can move forward together, and it is my sincere hope that we will rise to that occasion, that we will seize this opportunity and do the critical work of building and sustaining our vital middle class.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 48 TO AMENDMENT NO. 2

Ms. CANTWELL. Mr. President, I ask unanimous consent to set aside the pending amendment and call up on behalf of Senator Gillibrand amendment No. 48.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Washington [Ms. CANTWELL], for Mrs. GILLIBRAND, proposes an amendment numbered 48 to amendment No. 2.

Ms. CANTWELL. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the definition of underground injection)

At the appropriate place, insert the following:

SEC. ___. DEFINITION OF UNDERGROUND INJECTION.

Section 1421(d)(1) of the Safe Drinking Water Act (42 U.S.C. 300h(d)(1)) is amended by striking subparagraph (B) and inserting the following:

''(B) includes the underground injection of natural gas for purposes of storage.''.

Ms. CANTWELL. Mr. President, this amendment amends the Safe Drinking Water Act to protect clean drinking water sources from hydraulic fracturing, commonly known as fracking, and from underground storage of natural gas.

The Safe Drinking Water Act currently exempts underground injection of fracking fluids and underground storage of natural gas from regulation under the act. The Gillibrand amendment repeals those exemptions and makes underground injection of fracking fluids and underground storage of natural gas subject to those regulations.

I know my colleague from New York has been on the floor many times—actually three times, I think—at various times during this debate trying to offer this amendment. I am offering it on her behalf tonight. I am sure she will be looking for time to come and discuss it further.

AMENDMENT NO. 55 TO AMENDMENT NO. 2

Mr. President, at this time I ask unanimous consent to set aside the pending amendment and call up amendment No. 55 on behalf of Senator PETERS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Washington, [Ms. CANTWELL], for Mr. PETERS, for himself and Ms. STABENOW, proposes an amendment numbered 55 to amendment No. 2.

Ms. CANTWELL. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a study of the potential environmental impact of by-products of the Keystone XL pipeline)

At the appropriate place, insert the following:

SEC. ___. STUDY OF BY-PRODUCT ENVIRONMENTAL IMPACT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall complete and make publicly available on the Internet a study assessing the potential environmental impact of by-products generated from the refining of oil transported through the pipeline referred to in section (2)(a), including petroleum coke.

(b) REPORT.—On completion of the study required under subsection (a), the Administrator of the Environmental Protection Agency shall submit to Congress a report on the results of the study, including a summary of best practices for the transportation, storage, and handling of petroleum coke.

Ms. CANTWELL. Mr. President, the Peters amendment No. 55 would require the EPA to complete a study on the environmental impacts of petcoke. My colleague has been here on the floor speaking on the tar sands issue in general because Kalamazoo had one of the worst tar sands oilspills in the Nation's history. He has been on the floor talking about the things we need to do to protect people not just in the State of Michigan but throughout the United States.

One of the aftermath effects of this issue is also petcoke, which my colleague from Illinois has been speaking to on the floor. This is a very big issue for midwest Senators who have an amount of petcoke in their communities and want to see the proper environmental treatment of it.

I am sure Senator PETERS will be back to the floor to speak in more detail on amendment No. 55, but I offer it on his behalf.

I see the Senator from New Jersey, and I think he is here to speak on another matter, but I will yield the floor at this time.

The PRESIDING OFFICER. The Senator from New Jersey.

70TH ANNIVERSARY OF THE LIBERATION OF AUSCHWITZ

Mr. MENENDEZ. Mr. President, I thank the distinguished ranking member of the energy committee for yielding me some time this evening. I am not here for the purposes of legislation we have been debating; I am here to take time on the Senate floor on an occasion that I think is incredibly important to recollect, to commemorate, and to talk about.

Seventy years ago today a Soviet soldier, Ivan Martynushkin, arrived with his unit at the death camp at Auschwitz, and he said in an interview that he was instantly struck by the silence, the smell of ashes, and the emptiness. But as they entered the gates, Ivan and his unit were unaware of the atrocities, the war crimes that were to come to light over time.

Today I rise in memory of the 1.1 million persons who perished there, 90 percent of them Jews. I rise in recognition of 1.1 million lost dreams, lost hopes, the lost wisdom of 1.1 million that will never be shared, never be known, and the lost potential of a generation that perished in that camp between 1940 and 1945.

Ivan Martynushkin and his unit entered the camp thinking there would be a Nazi ambush, and then they noticed people behind barbed wire. ''It was hard to watch them,'' he said. ''I remember their faces, especially their eyes, which betrayed their ordeal.'' Ivan didn't know that the Nazis had evacuated another 58,000 prisoners 10 days earlier or the 6 million who were killed in camps across Europe.

He stood witness that day to the ultimate manifestation of man's inhumanity to their fellow man—7,000 prisoners left behind, 600 corpses born of hatred, intolerance, prejudice, bigotry, and a seething anti-Semitism that is again rearing its ugly head in Europe, the Middle East, and around the world.

There has been an alarming increase in anti-Semitic attacks and incidents in Europe that remain a challenge not only to stability and to security but to our shared morality, our mutually ethical core as human beings. Just two weeks ago, on January 9, 2015, four members of France's Jewish community were murdered during a hostage crisis at Hyper Cacher—a kosher supermarket—following the deadly terrorist attack on the Paris offices of the newspaper Charlie Hebdo.

The European Union Agency for Fundamental Rights issued a 2013 report on anti-Semitism in France, Germany, Hungary, Italy, Latvia, Belgium, Sweden, and the United Kingdom, where 90 percent of Europe's Jews reside, in which three-quarters of respondents said that anti-Semitism had worsened over the past 5 years where they lived.

In France, home to Europe's largest Jewish population, it has been reported that the number of French Jews immigrating to Israel in 2014 had doubled compared to 2013. And for the first time ever, more Jews moved to Israel from France than any other country in the world.

Anti-Semitic acts in European countries in 2014 included violent attacks, death threats, and the desecration of Jewish homes, commercial property, cemeteries, and places of worship. On May 24, 2014, a gunman opened fire at the Jewish Museum of Belgium in Brussels, Belgium, and killed four people. On July 29, Molotov cocktails were thrown at the synagogue in Wuppertal, Germany, which had been burned to the ground by the Nazis during the 1938 Kristallnacht and had only been rebuilt in 2002.

We have all been shocked by the recent disturbingly stereotypical anti-Semitic utterances of President Erdogan of Turkey and those around him. He said in February of 2013, ''Today the image of the Jews is no different from that of the Nazis.'' Speaking at a campaign rally in the Black Sea province of Ordu, he said the ''terrorist State Israel has attacked Gaza once again, hitting innocent children who were playing on a beach,'' and the crowd chanted ''Down the Israel.'' Erdogan said, ''The world's media is under the influence of Israel.'' He said, ''Wherever Jews settle, they make money.'' He claimed during the 2013 Gezi Park protests that the Europeans and what he stereotypically referred to as the ''interest-rate lobby'' were backing the antigovernment campaign, with the ultimate goal of dividing Turkey from within.

A Turkish writer aligned with President Erdogan called for Turkish Jews to be taxed to pay for Gaza reconstruction. He said:

The reconstruction of Gaza will be paid for by Jewish businessmen.

He went on to say:

The penalty for failing to pay the tax should be the revocation of the Jew's business license and the seizure of his property.

This is the kind of anti-Semitism we hear in Turkey today.

Around the world, the numbers are shocking. Based on the global survey, the ADL concluded that 1.09 billion people harbor anti-Semitic attitudes. Thirty-five percent never heard of the Holocaust.

If the world does not stand together in never forgetting and if our schools, teachers, parents, and communities do not join together in the fundamental principle of never forgetting, how can we prevent this from ever happening again? How can we work together to confront the anti-Semitism that enables hatred, violence, murder, and genocide around the world?

We can only ask what tomorrow might bring. We cannot know what the future will hold, but we have learned from the past. What we remember today—70 years after the liberation of Auschwitz—is that the United States and the American people will always stand shoulder to shoulder with the Israeli people and Jewish communities across the world in ensuring never again. This means confronting modern-day anti-Semitism, whether from the world's leaders, from ivory tower academics, or from economic belligerence pushing the boycott, divestment, and sanctions movement. We must fight back against any and all efforts to delegitimize the Israeli State, the Jewish people, and the Jewish religion.

As I have said many times, on many occasions, the Holocaust was the most sinister possible reminder that the Jewish population in exile has lived under constant threat. It is the definitive reminder that anti-Semitism can appear anywhere, and its horrors galvanized international support for the State of Israel.

But let's be very clear. While the Shoah has a central role in Israel's identity, it is not and never has been the reason behind Israel's founding, and it is not the main justification for its existence. The extreme characterization of this mistaken view is that Western powers established Israel in 1948 based on their own guilt, at the expense of the peoples who already lived there, and therefore the current state is illegitimate and, according to religious clerics such as Supreme Leader Khamenei, who retains his own aspirations for regional hegemony, should be wiped off the face of the map.

This flawed argument is not only in defiance of basic human dignity but in plain defiance of history, in defiance of what we remember today. It is in defiance of ancient history, as told in biblical texts and through archeological evidence. It ignores the history of the last several centuries, and it stands in stark contrast to what we remember today. Several thousand years of history lead to an undeniable conclusion: The reestablishment of the State of Israel in modern times is a political reality with roots going back to the time of Abraham and Sarah.

At the end of the day, the argument for Israel's legitimacy does not depend on what we say in speeches and what we say on an occasion like this. It has been made by the hard reality of history. It has been made by the men and women who made the desert green, by Nobel Prizes earned, by groundbreaking innovations and enviable institutions, by lives saved, democracy defended, peace made, and battles won.

There can be no denying the Jewish people's legitimate right to live in peace and security in a homeland to which they have had a connection for thousands of years. And there can be no denying the suffering, the senseless slaughter of a generation, and all that the world realized we had lost when Ivan Martynushkin and his unit walked through those gates and liberated Auschwitz-Birkenau, a reminder for all times of the racism and hatred from the most devastating genocide in human history.

As we commemorate the victims of the Holocaust, let us never forget. But let us be very clear as we look around the world today that the struggle is not over. Combating anti-Semitism is not only a Jewish issue of the past, it is a matter of basic civil and human rights today, now, in the present.

Like those Russian soldiers 70 years ago, I have personally stood at the gates of Auschwitz-Birkenau. I felt the impact, the horror, the silence, the emptiness, and I felt the lives lost. It is a moving experience that should compel all of us to collectively reflect on how we must transform the lessons we should have learned into concrete acts to prevent history from repeating itself.

Now is the time to renew the vow ''never again'' with even greater resolve.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

Mr. GRASSLEY. I ask unanimous consent to speak as in morning business

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE ACTION

Mr. GRASSLEY. Mr. President, we Americans are so fortunate to enjoy the blessings of liberty. We protect our rights as individuals, and we have a legal system that demands that government officials respect those rights and respect the law.

Historically some nations have lost their freedoms in revolutions. In others a leader gradually undermined the rule of law. Once the rule of law is dismantled, the road to dictatorship is easily traveled.

In a country under the rule of law, government officials are bound by that law.

When the Framers wrote our Constitution, they feared that the Federal Government might grow too strong. They divided and limited the powers among three branches. They made sure to preserve State power to serve as a check on the Federal power, and they also provided that where the Federal Government had the authority to make uniform laws, contrary State laws gave way.

To make sure everyone would be subject to the law, they entrusted the President with the duty to ''take Care that the Laws be faithfully executed.''

President Obama has repeatedly failed to take care that the laws be faithfully executed. He has repeatedly violated the Constitution. His administration has not conformed its conduct to law.

His administration therefore has undermined the rule of law. Often patterns repeat. The President proposes legislation that the American people do not want, so the Congress naturally refuses to enact it.

The President then decides that he will take Executive action as if Congress had enacted that law. Another pattern is he claims the authority to take various actions but fails to produce an opinion from the Department of Justice that coherently supports his authority. That creates a terrible lack of accountability.

We have also seen the President pick and choose which laws he will enforce, claiming that the ability to make individual enforcement decisions extends to failing to enforce the laws in millions of instances, and the President has simply failed to take notice when the Supreme Court has ruled he has exceeded his powers.

I know my colleagues think these are serious charges, and they are.

I wish to outline a number of instances where the President or his administration, acting at his discretion, has failed to follow the Constitution or the laws. Regrettably I will only be able to touch on some of the examples.

The President has attempted to unconstitutionally limit the powers of States through ObamaCare. He threatened the States that did not expand Medicaid would lose their existing Medicaid funds. The Supreme Court ruled 7 to 2 for the first time that a condition on Federal spending was so coercive to the States as to be unconstitutional.

Another President might have been careful after such a rebuke by the highest Court in the land to be mindful of State power—after all, it included one of the Justices that the President himself appointed to the Supreme Court—but not this President taking notice of what the Court said.

President Obama's EPA then turned around and has not followed the rule of law. It wrongly recognizes no limit to Federal power or to its own power.

Despite the fact that Congress rejected his cap-and-trade proposal, his EPA issued greenhouse gas regulations

that would require States to develop plans that meet EPA-established emission standards. Once EPA approved them, EPA would then order the States to enforce the standards.

Supporters of EPA argued that the threat from pollutants under the Clean Air Act, a category in which they erroneously include carbon dioxide, justified EPA's action, but the ''end justifies the means'' is an argument that is totally at odds with the concept of rule of law.

EPA's approach is unconstitutional. Just as a State cannot be coerced by Federal spending programs, it cannot be commandeered to enact Federal dictates. This is a well-established rule of the 10th Amendment, otherwise the States would lose their sovereignty.

Responsibility and therefore accountability would be blurred as voters could not tell which level of government to blame for unpopular policies. Among those who recognize that EPA has acted unconstitutionally is the President's own liberal constitutional law professor, Laurence Tribe of Harvard.

He wrote that it was his own view that the EPA is ''asserting executive power far beyond its lawful authority.''

He also wrote: ''Frustration with congressional inaction cannot justify throwing the Constitution overboard.''

President Obama also acted unconstitutionally when he made what he said were valid recess appointments, even though the Senate was not in recess. Although Presidents had been making recess appointments for more than 200 years, the President's use of the power was once again unprecedented.

He was armed with a Justice Department opinion that laughably argued that the President could ignore when the Senate said it was in session to make such appointments.

The Supreme Court rejected the President's so-called recess appointments unanimously. That meant of course that both of the Justices President Obama appointed rejected his claim that he could determine when the Senate was in recess, even though the Constitution makes it very clear, and it also rejected the Justice Department's arguments that supposedly allowed the President to make that recess appointment in violation of the Constitution.

But the President, similar to the old French Kings, learns nothing and forgets nothing when it comes to respecting the limits of Presidential power.

Despite the lodging of the power in the Constitution to Congress alone to enact uniform laws of naturalization, the President decided to enable millions of people who entered the country without documents to remain without congressional approval.

In fact, at a recent Judiciary Committee hearing we heard testimony that the administration's misuse of parole authority under this directive would allow many individuals who are here illegally to obtain green cards without Congress changing a word of the immigration laws.

This follows the President's earlier decision when Congress would not pass the DREAM Act to give benefits to undocumented aliens, as if that bill had been enacted into law.

In both of these instances, the supposed justification for noncompliance with the law is that the need is so great. This is a siren song that supporters of the rule of law must reject.

Texas and a number of other States have already filed suit challenging the immigration order's constitutionality, as well as its violation of the Administrative Procedure Act.

In an unrelated case, Federal district court has already found parts of the order to be unlawful. The President also has claimed enforcement discretion in failing to enforce other Federal criminal laws.

The Controlled Substances Act prohibits marijuana possession nationwide. Under the supremacy clause of the Constitution, State laws to the contrary are unconstitutional.

Normally the Federal Government sues States that enact such laws. But when Colorado and other States legalized marijuana, the Obama administration directed Federal law enforcement to refrain from using its resources to enforce Federal law in those States. It did not make individualized prosecutorial decisions but a very blanket refusal to enforce Federal law, contrary to the oath.

Nebraska and Oklahoma, rather than the Federal Government, have sued Colorado, as those neighboring States argue they face a significant increase in marijuana and other drug-related harms as a result of the Colorado law.

To make matters worse, Attorney General Holder is expanding his refusal to apply Federal marijuana laws to Indian reservations. Those reservations depend upon Federal law enforcement.

He plans to allow tribes to petition unelected local prosecutors to decide whether the same nonenforcement of marijuana laws' policy will apply to those reservations. Apart from the rule of law question, it must be kept in mind that these reservations are in States that still want to see marijuana illegal. As a matter of policy, rates of illegal drug use are higher on Indian reservations, with all of the associated health and crime consequences.

Again, this goes to the heart of the rule of law.

Does anyone believe if a State decided dealers could sell guns without conducting the federally required background checks, that the Obama administration would ignore those States? Anyone who approves what President Obama has done under the guise of enforcement discretion will have no cause to complain about a future President's decision to allocate scarce resources.

For instance, he could decide that the ObamaCare individual mandate, which is constitutional according to the Supreme Court—only because it is a tax—will not be enforced against anyone who does not buy government-approved health insurance.

President Obama has also violated the law when he released five Taliban fighters who were detained at Guantanamo in exchange for an American sergeant. As the nonpartisan Government Accountability Office concluded, the failure to notify Congress 30 days before such transfer, and to provide a justification, was a violation of law.

I have asked the Justice Department for the justification they prepared for this move by the President. To this day, the President refuses to produce the Justice Department's opinion that purports to legally justify this action, contrary to the law passed by Congress.

The American people can draw their own conclusions as to whether that means a well-reasoned legal argument exists that the President could legally act as he did.

The rule of law ensures that government officials and agencies obey the law. Under the Constitution, Federal agencies can only exercise the power that Congress gives them. They cannot do whatever they want. Now that is obvious to any high school government class. But in the Obama administration, where too many agencies do not believe in limited government, agencies are lawlessly exceeding their powers. This lawlessness is a major reason why polls show that Americans believe the Federal Government is overregulated.

Let's take a look at the EPA again. Not only has the EPA violated the Constitution and exceeded its powers on the Clean Air Act, that agency has violated a core Federal statute—the Administrative Procedures Act. The Administrative Procedures Act sets forth the process by which agencies can issue regulations and conduct other administrative business.

For instance, under the APA, an agency can issue a regulation that is binding on citizens with penalties for noncompliance only if that agency pursues notice-and-comment rulemaking.

This process, consistent with notions of due process and fairness, requires any agency to issue a proposed rule, seek public comment, respond to public comment, and modify the proposed rule to reflect those comments when it issues a final rule. The process is this way to assure accountability, to ensure transparency and input from regulated entities. Courts can strike down the regulation if the agency fails to comply with the Administrative Procedures Act.

They can also strike down the regulation where the agency exceeds its statutory powers or where the agency's interpretation of law that is said to justify the regulation does not reflect a legitimate reading of the statute. Courts give greater deference to an agency's interpretations of statutes that are taken after proceeding through the notice-and-comment process.

The EPA recently violated the Administrative Procedures Act in my own

State of Iowa. The EPA wrote letters to Iowa municipalities setting forth specific requirements that they said must be followed to meet their obligations under the Clean Water Act. The cities challenged the EPA because the two letters effectively imposed new regulatory requirements. They argued the EPA could not impose regulatory obligations simply by letter but needed to proceed by notice-and-comment rulemaking—the Administrative Procedures Act requirements.

They also argued that so-called informal guidance imposes subtle pressures on regulated entities to comply even if the EPA does not call its actions a regulation.

The U.S. Court of Appeals for the Eighth Circuit agreed and struck down the requirements EPA imposed on those cities just by issuing letters. However, the EPA has since publicly stated, as a lot of government agencies do, that the EPA would only comply with the ruling in the Eighth Circuit.

So here we have a situation where there is a national law, the actions of the EPA are struck down in the Eighth Circuit, and now that law is going to be applied one way in the Eighth Circuit and the other way in the rest of the States. In other words, the EPA has proclaimed it intends to continue to impose these illegal requirements on municipalities in those States outside the Eighth Circuit, in clear violation of the APA.

The EPA is not alone in failing to comply with the Administrative Procedures Act. The Department of Education issued what it termed informal guidance concerning campus sexual assault last year without public input.

I hope we can see a pattern here, whether it is by letter by the EPA to Iowa municipalities or whether it is something called informal guidance by the Department of Education. These are all terms trying to get around the legal requirements of the Administrative Procedures Act to get things done faster by these agencies, because following the rule of law is kind of an encumbrance they do not want to go through.

In regard to what the Department of Education did, at a HELP Committee hearing the Assistant Secretary for Civil Rights Catherine Lhamon stated that she expected colleges and universities to comply with that guidance that was not a regulation under the Administrative Procedures Act. Of course, that meant what the Department was calling informal guidance was really a regulation that could only be issued after engaging in notice-and-comment rulemaking.

When Senator ALEXANDER, who is chairman of the committee now, asked her who gave her the authority to issue the guidance, she responded, incredibly—and I emphasize incredibly—''Well, with gratitude, you did, when I was confirmed.''

So you get confirmed by 100 Members of the Senate and you can do whatever you want to regardless of law? No. This is the United States, where we operate under the rule of law and the constitution. It is not France in the age of Louis XIV where government officials say, L'Etat c'est moi. I am the State, in other words.

Senate confirmation means only that a person has been legally installed in a job. But once confirmed, the agency official can only act in accordance with the laws governing their agency.

I support the Department's overall goal of holding accountable those who commit campus sexual assault, but it has to be done lawfully. By issuing so-called guidance that, by her own admission, she expected colleges and universities to follow, the Department exceeded its lawful powers.

Separate from excluding the public from having any say in the rules that have governed their conduct, bureaucrats have many incentives—too many incentives—to ignore the Administrative Procedures Act.

Imagine: Formal rulemaking takes time. A formal notice of proposed rulemaking is followed by the public's comment period, then the agency responds to comments and modifies their proposed rule before it is made final. The Office of Management and Budget reviews the regulation and can block or modify it. The Office of Management and Budget makes agencies justify the costs and benefits of their rules, reduce burdens under the Paperwork Reduction Act, and also prepare a federalism impact statement for those proposed rules.

Agencies that want to regulate without oversight can subvert the whole process of issuing binding rules under the cover of ''informal guidance.'' It is so much faster for bureaucrats to issue dictates to whomever they want for whatever reason they want.

By avoiding the Administrative Procedures Act, these unelected agencies violate the whole separation of powers. They act legislatively in violation of the limited authority Congress provides a particular agency. Then they are free to issue even more rules, restricting the freedom of American people and increasing the role of unelected bureaucrats in telling other people what to do. Reductions in freedom are ultimately manifestations of a failure to follow the rule of law.

We are already headed in that direction. The Supreme Court has before it a case now from the Labor Department, where one of the issues discussed at oral argument was whether that agency was required to proceed by notice-and-comment rulemaking rather than through interpretive rules. We shall see, then, whether the Court addresses that issue or focuses instead on what level of deference a court gives when agencies change their position without proceeding through Administrative Procedures Act rulemaking.

But even if the issue of the necessity of engaging in notice-and-comment rulemaking is not addressed in that case, the Court, before long, will reach that question. When it does, I believe it will find that what the Obama administration has been doing is clearly illegal.

President Obama's claims of Executive power are unprecedented. He is creating a general precedent of a Presidency unrestrained by law.

When Franklin Roosevelt was inaugurated in the darkest days of the Great Depression, he called on Congress to act to respond to the emergency as well as giving him powers to address it. He did issue Executive orders, such as declaring a bank holiday, but he did not say that he had a phone and a pen and that he would do whatever he felt was necessary regardless of whether Congress acted. Rather, he said that if the powers Congress gave him to address the emergency were inadequate, he would ask Congress to provide him with the powers Congress would give a President in the event of a foreign invasion.

Those are extensive powers. But he was determined to ask Congress for power, not to act unilaterally because the ends justified the means. He wanted to use all the powers available under the Constitution, not exceed those powers.

Not only does the Constitution further government compliance with the rule of law through the separation of powers, it also sets up an executive branch that can act to check itself. Executive officials have their own legal powers that the President cannot interfere with. They can also refuse to carry out illegal Presidential orders.

We have a very good example from the dark days of Watergate. The Nixon administration exceeded its powers too. When that happened, there were administration officials who pushed back against their own President who appointed them. The appropriate Justice Department official told President Nixon he would haul him into Federal Court if there were evidence of his criminality. Attorney General Elliott Richardson and Deputy Attorney General Ruckelhaus resigned rather than fire the Watergate special prosecutor, as the President had ordered. People of conscience do sometimes resign or threaten to do so, and that increases public pressure on the President to obey the law.

Who in the Obama administration has ever stood up against his lawlessness? No one, as far as I know. No one has resigned from the Justice Department as it has become a rubberstamp for wild claims of Presidential power that exceed the Constitution and violate the laws.

What lawyer in the EPA or any other Department has stopped her agency from acting unconstitutionally by exceeding the powers that Congress has specifically delegated under various statutes? What lawyer has stopped an agency from violating the Administrative Procedures Act by issuing binding rules on the public without public comment?

I regret to say that the Congress up to now has too often been complicit with Presidential assaults on the rule of law. When President Obama eviscerated the core Senate prerogative of advice and consent by making unconstitutional recess appointments, not one single Democrat in this body objected. This is where the real harm of excessive partisanship manifests itself.

Time and again, the previous majority in this body refused to take action against any Presidential action that violated the law if they agreed with the policy being pursued by the President. This sort of nonactivity is not why the Constitution created the Congress. Whatever its flaws, an active Congress that defends its legislative prerogatives and conducts effective oversight of Executive illegality is vital to preserving liberty.

In one historical example, the process of transformation from democracy to dictatorship was completed when the Parliament voted itself out of existence.

The Framers did not intend a Congress to sit idly by as the President violates the Constitution and the laws. In Federalist 51, James Madison wrote that the separation of powers was vital to the preservation of liberty. He noted that checks and balances would be effective in keeping each branch within its prescribed constitutional role because each had, in his words:

> . . . the necessary constitutional means and personal motives to resist encroachments of the others. . . . Ambition must be made to counteract ambition.

Recently, the Senate has failed to counteract unlimited Executive ambition. That must change and, as a result of the last election, should change. Will it change? I sure hope so.

I trust that under our new leadership, the Senate will take action for the government to control itself, and to restore the rule of law that has been so badly damaged in recent years, because if we take the spirit of the Declaration of Independence—and remember, prior to that Declaration, the colonies decided they did not want one person, George III, making decisions affecting millions of people on this side of the ocean. So they were very careful, when they declared independence and they wrote a Constitution a few years later, to make sure they carried out the spirit of the Declaration of Independence that:

> . . . they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of happiness.

Not by our government, but by nature or by our Creator.

So they put into this Constitution assurances so there could never be a George III again, and separated all the powers so one person didn't have all the power.

Now we see one person trying to exercise the power of several branches of government, as George III tried to do. So we are over that hurdle. All we have to do is make sure that the checks and balances the government worked—the same checks and balances that every high school kid learns in government class, to make sure that one person doesn't do it, and that our liberties are protected by a government that operates under the rule of law. And that Constitution is our rule of law.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 245 TO AMENDMENT NO. 2

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to set aside the pending amendment so that I may call up amendment No. 245 on behalf of Senator BARRASSO.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Alaska [Ms. MURKOWSKI], for Mr. BARRASSO, proposes an amendment numbered 245 to amendment No. 2.

Ms. MURKOWSKI. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify that treaties with Indian tribes remain in effect)

At the appropriate place, insert the following:

SEC. ____. NO EFFECT ON INDIAN TREATIES.

Nothing in this Act may change, suspend, supersede, or abrogate any trust obligation or treaty requirement of the United States with respect to any Indian nation without consultation with the applicable Indian nation, as required under Executive Order 13175 (67 Fed. Reg. 67249) (November 6, 2000).

Ms. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DAINES. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

AMENDMENT NO. 246 TO AMENDMENT NO. 2

Mr. DAINES. Madam President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 246.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Montana [Mr. DAINES] proposes an amendment numbered 246 to amendment No. 2.

Mr. DAINES. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress that reauthorizing the Land and Water Conservation Fund should be a priority)

At the appropriate place, insert the following:

SEC. _. SENSE OF CONGRESS REGARDING REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

It is the sense of Congress that—

(1) the Land and Water Conservation Fund plays an important role in improving wildlife habitat and increasing outdoor recreation opportunities on Federal and State land; and

(2) reauthorizing the Land and Water Conservation Fund should be a priority for Congress and should include improvements to the structure of the program to more effectively manage existing Federal land.

Mr. DAINES. Madam President, as a fifth-generation Montanan and lifelong sportsman, I have a deep appreciation for our public lands. Hunting, fishing, and hiking on our public lands are important parts of many Montanan's way of life. These are traditions I have enjoyed in my life and traditions I have also enjoyed with my kids.

It is important our State's outdoor heritage is protected for future generations. That is why protecting and increasing access to public lands is so important. The Land and Water Conservation Fund has been instrumental in increasing access to our public lands, growing opportunities for outdoor recreation and protecting wildlife. There is great potential for the program to be used to improve the management of our existing Federal lands.

In fact, there is much improvement to be made to make Federal land management more effective. My amendment will express the sense of the Congress that the Land and Water Conservation Fund plays an important role in improving wildlife habitat and increasing outdoor recreation opportunities on Federal as well as State land. It will also convey that reauthorizing the Land and Water Conservation Fund should be a priority for Congress and should include improvements in the structure of the program to more effectively manage existing Federal land.

Montana's outdoor heritage is of great importance to our State's economy and thousands of Montanans' way of life. We must work to improve programs such as the Land and Water Conservation Fund so it will work better for Montanans and all Americans.

Supporting and improving the Land and Water Conservation Fund will help us ensure this legacy is continued for future generations.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that on Wednesday, January 28, 2015, at 2:30 p.m., the Senate proceed to vote in relation to the following amendments in the order listed: Cardin No. 75, Peters No. 70, Sanders No. 23, Cruz No. 15, Merkley No. 125, Moran No. 73, Whitehouse No. 148, Daines No. 132, Coons No. 115, Collins No. 35, Carper No. 120, Murkowski No. 166, Heitkamp No. 133, Gillibrand No. 48, Barrasso No. 245, Cardin No. 124, Daines No. 246, and Burr No. 92, as modified with the changes at the desk; further, that all amendments on this list be subject to a 60-vote affirmative threshold for adoption and that no second-degrees be in order to the amendments. I ask consent that there be 2 minutes of debate equally divided between each vote, and that all votes after the first in the series be 10-minute votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 92), as modified, is as follows:

At the appropriate place, insert the following:

SEC. _____. PERMANENT REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''During the period ending September 30, 2015, there'' and inserting ''There''; and

(2) in subsection (c)(1), by striking ''through September 30, 2015''.

(b) PUBLIC ACCESS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

''(c) PUBLIC ACCESS.—Not less than 1.5 percent of amounts made available for expenditure under section 200303 or $10,000,000, whichever is greater, shall be available each fiscal year for projects that secure recreational public access to existing Federal public land for hunting, fishing, and other recreational purposes.''.

MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MARY LEAHY'S CAREER AS AN EDUCATOR

Mr. LEAHY. Mr. President, I have the privilege of being a lifelong Vermonter, as were my parents and my brother and sister. All Vermonters realize that in a small State like ours, it takes the dedication and hard work of very special and talented people to make our State great.

I will take a moment as a proud brother to mention one such person, my younger sister, Mary Leahy. Mary's work with adult basic education and teaching and her ability to give adults who have not had the capability to read a newfound ability is profound. It is impossible to calculate the number of lives she has dramatically improved in our State through her work. I still carry the memory of watching a grandfather with tears in his eyes, as he read a simple child's book to his grandchild. He then told me that he had never been able to read to his child, the grandchild's parent, but at least in his later years he could read to the grandchild. I thought what a gift. I thought again of Mary as I read an article printed in a number of our media in Vermont, written by Nancy Graff, about this part of Mary's career. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From VTDigger.org, Dec. 28, 2014]

IN THIS STATE: FOR MARY LEAHY, LITERACY GOES BEYOND READING

(By Nancy Graff)

Several miles up a dirt road in Marshfield, Mary Leahy's driveway swings up a modest rise on the right. In the wake of a recent snowstorm, ice, clumps of snow, ruts, and shattered branches have created endless road stubble. Traffic is infrequent. Leahy hasn't seen Camel's Hump, a breathtaking view normally framed by her house's large west-facing windows, for almost a week due to stubborn low-hanging clouds. No other structure or human being intrudes.

In this isolated spot, Leahy has spent 20 years thinking through what it means to be literate. She believes it all comes down to creating communities that welcome everyone.

Two years ago Leahy, a Montpelier native, retired from Central Vermont Adult Basic Education after 34 years as co-director and four years before that as a field tutor. Throughout her tenure, she says in her soft voice, she worked to make adult literacy programs ''as inclusive as any other form of education, so that everyone could become part of the cultural community.''

Leahy is sitting in her living room, her telltale shock of white hair the same color as the walls inside and the snow piled outside. She can tell hundreds of stories about people she has encountered over the past decades. One woman holds a special place in the evolution of her thinking. According to Leahy, when this woman came to be tutored in reading, Leahy asked her why she felt the need to learn now, long after she had left school. She replied that she had a big maple tree in her front yard, and a dream that one day when she finished her chores, she would take a book and sit under that tree and read it.

''That became the beacon for the rest of my work,'' Leahy says.

One book in particular provided more inspiration. A middle-aged man under Mary's tutelage asked if they could read ''Black Beauty'' together. '''Why that book?''' she remembers asking. He had shown no interest in horses. He explained that ''Black Beauty'' had been popular when he was in school, but he could never join in the discussions about it because he couldn't read. He wanted to know how it ends.

''I think 'Black Beauty' was the most formative book I read as a child. It taught me about being compassionate. I read it over and over and over,'' she says.

And then there was a favorite nun at Leahy's college, St. Catherine University, in Minneapolis. She taught Leahy that ''work has to serve the world.''

After graduating and returning to Vermont, Leahy briefly tried her hand at farming before she started working in literacy.

''Literacy took up my imagination,'' Leahy says. ''It took up my heart, and I could see the changes in people's lives.''

Among the mementos from her father's shop that Mary Leahy keeps in her house is the letterpress type that once printed the ''ICE'' cards that people would put in their front windows when they wanted the iceman to make a delivery. Beautifully rendered in wood to begin with, the letter faces are as smooth as glass after decades of use. Beside them is a well-used brass can that contained solvent to clean the type.

Soon, however, she began to see that being able to identify a letter, being able to associate that letter with a sound, stringing letters into words, and understanding the meaning of the words were not enough. She recalls men at a local electric company who were afraid to requisition a part to fix a machine they could run with their eyes closed because they were unable to fill out the form needed to get the part. They learned the fundamentals of reading for their jobs, but until they could engage with ideas they remained outliers in the world's cultural community.

''They needed to be included,'' Leahy says. And that meant being able to help their children with schoolwork, being able to articulate their ideas and opinions, being able to teach themselves to learn.

Bringing the newly literate into the life of their families and home communities, into the community of ideas that explore our humanity and world, became Leahy's goal.

These days CVABE serves approximately 600 clients, down from a high of 800 a few years ago. Leahy is quick to praise the people with whom she has worked over the years and other organizations that have made literacy work possible, especially the Vermont Council on the Humanities, with its emphasis on teaching reading not just as a vital skill but as a revelation of the human condition.

Each student presents unique challenges. Some are well-educated immigrants who need to learn English to work in their field. Some have learning disabilities that weren't addressed. Others have lived in such chaotic situations that school wasn't a priority. Still others have come from such poverty that illiteracy was a legacy passed from generations.

When she began working for CVABE, the organization stressed one-on-one in-home tutoring. ABE itself was a feature of the war on poverty that was an extension of the Department of Education. Leahy's job was to develop tutoring programs by recruiting students and volunteers. To find students, she went door to door asking if anyone needed literacy assistance.

Being illiterate is not something people want to admit, she says. ''There's a chronic fear of being found out that you can't do what everyone else can. You think you're alone in not being able to do this.''

And so she met them wherever they felt comfortable. She tutored in homes, in restaurants, in libraries, sometimes in her car.

Eventually, the Department of Education pushed the ABE program to move toward a more center-based structure. So Leahy oversaw that change, as well as many others, including gaining independence, forming a board, fundraising, starting an alternative high school program for teens, and very important, from her perspective, hosting reading and discussion programs. In 1989 she helped organize the first statewide conference for Vermont's newly literate, ABE

students who had once believed their opinions did not matter.

Leahy learned early in life what it means to be part of a community. Her father, a printer, had a shop near the Statehouse, and like her brothers (one of whom is Vermont's U.S. Sen. Patrick Leahy), she regularly delivered printing jobs to the capitol. In the process she learned about government and politics and the obligations of citizenship. She learned about history and immigrant communities through their Irish and Italian ancestors, including one grandmother who was illiterate. These interests have carried over into her current volunteer work for the Friends of the Vermont State House, the Vermont Historical Society, and the Marshfield Historical Society. She wants everyone to have full access to communities like these that will enrich their lives.

According to Leahy, her students were a joy to teach because they were so motivated. With her eyes tearing up she tells the story of a man who wrote a letter to his first grandchild. ''Things are going to be different than they were for me and your mother,'' he wrote. ''Your mother would bring papers home from school, and I'd keep my distance because I didn't want her to know. But things will be different with you and me.'' That change in one family's quality of life, says Leahy, will resonate for generations. Another student was 93 when he learned to read. He had vowed to learn to read before he died.

These Vermonters and all the others whose lives Leahy has touched in her life's work are no longer outliers.

''We all belong to a very special group of people,'' she says. ''We can read and write.''

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

RULES OF PROCEDURE

Mr. SHELBY. Mr. President, the Committee on Banking, Housing, and Urban Affairs has adopted rules governing its procedures for the 114th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator BROWN, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

RULE 1.—REGULAR MEETING DATE FOR COMMITTEE

The regular meeting day for the Committee to transact its business shall be the last Tuesday in each month that the Senate is in Session; except that if the Committee has met at any time during the month prior to the last Tuesday of the month, the regular meeting of the Committee may be canceled at the discretion of the Chairman.

RULE 2.—COMMITTEE

[a] Investigations.—No investigation shall be initiated by the Committee unless the Senate, or the full Committee, or the Chairman and Ranking Member have specifically authorized such investigation.

[b] Hearings.—No hearing of the Committee shall be scheduled outside the District of Columbia except by agreement between the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[c] Confidential testimony.—No confidential testimony taken or confidential material presented at an executive session of the Committee or any report of the proceedings of such executive session shall be made public either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Committee and the Ranking Member of the Committee or by a majority vote of the Committee.

[d] Interrogation of witnesses.—Committee interrogation of a witness shall be conducted only by members of the Committee or such professional staff as is authorized by the Chairman or the Ranking Member of the Committee.

[e] Prior notice of markup sessions.—No session of the Committee or a Subcommittee for marking up any measure shall be held unless [1] each member of the Committee or the Subcommittee, as the case may be, has been notified in writing via electronic mail or paper mail of the date, time, and place of such session and has been furnished a copy of the measure to be considered, in a searchable electronic format, at least 3 business days prior to the commencement of such session, or [2] the Chairman of the Committee or Subcommittee determines that exigent circumstances exist requiring that the session be held sooner.

[f] Prior notice of first degree amendments.—It shall not be in order for the Committee or a Subcommittee to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless fifty written copies of such amendment have been delivered to the office of the Committee at least 2 business days prior to the meeting. It shall be in order, without prior notice, for a Senator to offer a motion to strike a single section of any measure under consideration. Such a motion to strike a section of the measure under consideration by the Committee or Subcommittee shall not be amendable. This section may be waived by a majority of the members of the Committee or Subcommittee voting, or by agreement of the Chairman and Ranking Member. This subsection shall apply only when the conditions of subsection [e][1] have been met.

[g] Cordon rule.—Whenever a bill or joint resolution repealing or amending any statute or part thereof shall be before the Committee or Subcommittee, from initial consideration in hearings through final consideration, the Clerk shall place before each member of the Committee or Subcommittee a print of the statute or the part or section thereof to be amended or repealed showing by stricken-through type, the part or parts to be omitted, and in italics, the matter proposed to be added. In addition, whenever a member of the Committee or Subcommittee offers an amendment to a bill or joint resolution under consideration, those amendments shall be presented to the Committee or Subcommittee in a like form, showing by typographical devices the effect of the proposed amendment on existing law. The requirements of this subsection may be waived when, in the opinion of the Committee or Subcommittee Chairman, it is necessary to expedite the business of the Committee or Subcommittee.

RULE 3.—SUBCOMMITTEES

[a] Authorization for.—A Subcommittee of the Committee may be authorized only by the action of a majority of the Committee.

[b] Membership.—No member may be a member of more than three Subcommittees and no member may chair more than one Subcommittee. No member will receive assignment to a second Subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one Subcommittee, and no member shall receive assignment to a third Subcommittee until, in order of seniority, all members have chosen assignments to two Subcommittees.

[c] Investigations.—No investigation shall be initiated by a Subcommittee unless the Senate or the full Committee has specifically authorized such investigation.

[d] Hearings.—No hearing of a Subcommittee shall be scheduled outside the District of Columbia without prior consultation with the Chairman and then only by agreement between the Chairman of the Subcommittee and the Ranking Member of the Subcommittee or by a majority vote of the Subcommittee.

[e] Confidential testimony.—No confidential testimony taken or confidential material presented at an executive session of the Subcommittee or any report of the proceedings of such executive session shall be made public, either in whole or in part or by way of summary, unless specifically authorized by the Chairman of the Subcommittee and the Ranking Member of the Subcommittee, or by a majority vote of the Subcommittee.

[f] Interrogation of witnesses.—Subcommittee interrogation of a witness shall be conducted only by members of the Subcommittee or such professional staff as is authorized by the Chairman or the Ranking Member of the Subcommittee.

[g] Special meetings.—If at least three members of a Subcommittee desire that a special meeting of the Subcommittee be called by the Chairman of the Subcommittee, those members may file in the offices of the Committee their written request to the Chairman of the Subcommittee for that special meeting. Immediately upon the filing of the request, the Clerk of the Committee shall notify the Chairman of the Subcommittee of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman of the Subcommittee does not call the requested special meeting, to be held within 7 calendar days after the filing of the request, a majority of the members of the Subcommittee may file in the offices of the Committee their written notice that a special meeting of the Subcommittee will be held, specifying the date and hour of that special meeting. The Subcommittee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk of the Committee shall notify all members of the Subcommittee that such special meeting will be held and inform them of its date and hour. If the Chairman of the Subcommittee is not present at any regular or special meeting of the Subcommittee, the Ranking Member of the majority party on the Subcommittee who is present shall preside at that meeting.

[h] Voting.—No measure or matter shall be recommended from a Subcommittee to the Committee unless a majority of the Subcommittee are actually present. The vote of the Subcommittee to recommend a measure or matter to the Committee shall require the concurrence of a majority of the members of the Subcommittee voting. On Subcommittee matters other than a vote to recommend a measure or matter to the Committee no record vote shall be taken unless a majority of the Subcommittee is actually present. Any absent member of a Subcommittee may affirmatively request that his or her vote to recommend a measure or matter to the Committee or his vote on any such other matters on which a record vote is taken, be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter and to inform the Subcommittee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman of the Subcommittee any time before the record vote

on the measure or matter concerned is taken, the member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee.

RULE 4.—WITNESSES

[a] Filing of statements.—Any witness appearing before the Committee or Subcommittee [including any witness representing a Government agency] must file with the Committee or Subcommittee [24 hours preceding his or her appearance] 75 copies of his or her statement to the Committee or Subcommittee, and the statement must include a brief summary of the testimony. In the event that the witness fails to file a written statement and brief summary in accordance with this rule, the Chairman of the Committee or Subcommittee has the discretion to deny the witness the privilege of testifying before the Committee or Subcommittee until the witness has properly complied with the rule.

[b] Length of statements.—Written statements properly filed with the Committee or Subcommittee may be as lengthy as the witness desires and may contain such documents or other addenda as the witness feels is necessary to present properly his or her views to the Committee or Subcommittee. The brief summary included in the statement must be no more than 3 pages long. It shall be left to the discretion of the Chairman of the Committee or Subcommittee as to what portion of the documents presented to the Committee or Subcommittee shall be published in the printed transcript of the hearings.

[c] Ten-minute duration.—Oral statements of witnesses shall be based upon their filed statements but shall be limited to 10 minutes duration. This period may be limited or extended at the discretion of the Chairman presiding at the hearings.

[d] Subpoena of witnesses.—Witnesses may be subpoenaed by the Chairman of the Committee or a Subcommittee with the agreement of the Ranking Member of the Committee or Subcommittee or by a majority vote of the Committee or Subcommittee.

[e] Counsel permitted.—Any witness subpoenaed by the Committee or Subcommittee to a public or executive hearing may be accompanied by counsel of his or her own choosing who shall be permitted, while the witness is testifying, to advise him or her of his or her legal rights.

[f] Expenses of witnesses.—No witness shall be reimbursed for his or her appearance at a public or executive hearing before the Committee or Subcommittee unless such reimbursement is agreed to by the Chairman and Ranking Member of the Committee.

[g] Limits of questions.—Questioning of a witness by members shall be limited to 5 minutes duration when 5 or more members are present and 10 minutes duration when less than 5 members are present, except that if a member is unable to finish his or her questioning in this period, he or she may be permitted further questions of the witness after all members have been given an opportunity to question the witness.

Additional opportunity to question a witness shall be limited to a duration of 5 minutes until all members have been given the opportunity of questioning the witness for a second time. This 5–minute period per member will be continued until all members have exhausted their questions of the witness.

RULE 5.—VOTING

[a] Vote to report a measure or matter.—No measure or matter shall be reported from the Committee unless a majority of the Committee is actually present. The vote of the Committee to report a measure or matter shall require the concurrence of a majority of the members of the Committee who are present.

Any absent member may affirmatively request that his or her vote to report a matter be cast by proxy. The proxy shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his vote to be recorded thereon. By written notice to the Chairman any time before the record vote on the measure or matter concerned is taken, any member may withdraw a proxy previously given. All proxies shall be kept in the files of the Committee, along with the record of the rollcall vote of the members present and voting, as an official record of the vote on the measure or matter.

[b] Vote on matters other than to report a measure or matter.—On Committee matters other than a vote to report a measure or matter, no record vote shall be taken unless a majority of the Committee are actually present. On any such other matter, a member of the Committee may request that his or her vote may be cast by proxy. The proxy shall be in writing and shall be sufficiently clear to identify the subject matter, and to inform the Committee as to how the member wishes his or her vote to be recorded thereon. By written notice to the Chairman any time before the vote on such other matter is taken, the member may withdraw a proxy previously given. All proxies relating to such other matters shall be kept in the files of the Committee.

RULE 6.—QUORUM

No executive session of the Committee or a Subcommittee shall be called to order unless a majority of the Committee or Subcommittee, as the case may be, are actually present. Unless the Committee otherwise provides or is required by the Rules of the Senate, one member shall constitute a quorum for the receipt of evidence, the swearing in of witnesses, and the taking of testimony.

RULE 7.—STAFF PRESENT ON DAIS

Only members and the Clerk of the Committee shall be permitted on the dais during public or executive hearings, except that a member may have one staff person accompany him or her during such public or executive hearing on the dais. If a member desires a second staff person to accompany him or her on the dais he or she must make a request to the Chairman for that purpose.

RULE 8.—COINAGE LEGISLATION

At least 67 Senators must cosponsor any gold medal or commemorative coin bill or resolution before consideration by the Committee.

EXTRACTS FROM THE STANDING RULES OF THE SENATE

RULE XXV, STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * *

[d][1] Committee on Banking, Housing, and Urban Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banks, banking, and financial institutions.
2. Control of prices of commodities, rents, and services.
3. Deposit insurance.
4. Economic stabilization and defense production.
5. Export and foreign trade promotion.
6. Export controls.
7. Federal monetary policy, including Federal Reserve System.
8. Financial aid to commerce and industry.
9. Issuance and redemption of notes.
10. Money and credit, including currency and coinage.
11. Nursing home construction.
12. Public and private housing [including veterans' housing].
13. Renegotiation of Government contracts.
14. Urban development and urban mass transit.

[2] Such committee shall also study and review, on a comprehensive basis, matters relating to international economic policy as it affects United States monetary affairs, credit, and financial institutions; economic growth, urban affairs, and credit, and report thereon from time to time.

COMMITTEE PROCEDURES FOR PRESIDENTIAL NOMINEES

Procedures formally adopted by the U.S. Senate Committee on Banking, Housing, and Urban Affairs, February 4, 1981, establish a uniform questionnaire for all Presidential nominees whose confirmation hearings come before this Committee.

In addition, the procedures establish that:

[1] A confirmation hearing shall normally be held at least 5 days after receipt of the completed questionnaire by the Committee unless waived by a majority vote of the Committee.

[2] The Committee shall vote on the confirmation not less than 24 hours after the Committee has received transcripts of the hearing unless waived by unanimous consent.

[3] All nominees routinely shall testify under oath at their confirmation hearings.

This questionnaire shall be made a part of the public record except for financial information, which shall be kept confidential.

Nominees are requested to answer all questions, and to add additional pages where necessary.

DEFENDING THE JONES ACT

Mr. VITTER. Mr. President, I rise today to speak on the Jones Act, an important law for our Nation's maritime industry and for our national security. Senator MCCAIN has filed an amendment to repeal the Jones Act, and I urge its defeat.

In Louisiana, we know how important the maritime industry and Jones Act-related jobs are to our State and our economy. According to the American Maritime Partnership, Louisiana leads the Nation in maritime jobs by a number of measurements of the domestic maritime economy. For domestic maritime employment, Louisiana has more jobs than any other State—55,000 jobs out of close to 500,000 nationwide. Louisiana also leads the Nation in per capita maritime jobs, with 1 in 83 jobs being tied to our domestic maritime industries, nearly twice that of any other State. For total economic output from domestic maritime activity, Louisiana again leads the nation with more than $11 billion per year.

Louisiana's 2,800 miles of navigable waterways handle more waterborne commerce than any other State. Tugboats based in Louisiana facilitate entry of cargo into the Mississippi River and then up the river and throughout the Nation on our inland waterways. This vast infrastructure

and the maritime operators using it directly benefit the entire Nation. For example, 60 percent of export grain travels to the Gulf of Mexico through Louisiana. Also, one-fifth of our domestic energy is produced off the coast of Louisiana with support from the domestic fleet of offshore workboats.

The Jones Act helps ensure the strength and stability of our domestic maritime industry, and it will help ensure that it continues to flourish. These jobs and the economic benefits from them would be at risk if the Jones Act were repealed. I have no doubt that our industries can and will compete effectively against their counterparts around the world. However, they cannot compete fairly against the heavy subsidization that foreign governments give to their industries. Also, there cannot be fair competition when foreign vessels are not subjected to the same requirements for safety, fuel containers, labor standards, training, incidental vessel discharges, other environmental regulations, taxes, and more that our industries have to follow.

Also, the Jones Act is vital to the military as it protects our national security. In order to ensure our Navy remains the best equipped and most powerful Navy in the world, we must have domestic skills base and shipbuilding capacity. Also, we need to have an adequate domestic fleet to ensure the fast and secure delivery of vital military cargoes around the world.

For our homeland security, the Jones Act helps keep our ports and waterways safer from attack. Imagine if our inland waterways and ports were fully open to foreign vessels. The Coast Guard and our other law enforcement agencies would have no real, effective way to know if vessels are safe as they travel through our river communities, if the crews are properly licensed for the vessel's operation, or if anyone or anything on the vessels pose a risk. The Jones Act helps our first responders and law enforcement better know any potential threats and allows them to be better prepared to act in an emergency.

In short, any legislation to repeal or lessen the protections of the Jones Act would threaten jobs, economic growth, military strength, and homeland security. I will continue working to support the U.S. maritime industry.

ADDITIONAL STATEMENTS

TRIBUTE TO HOWARD GEORGE HITCHENS

● Mr. COONS. Mr. President, I wish to honor Howard George Hitchens and highlight his service to the Slaughter Beach community and the State of Delaware.

Howard George Hitchens is a charter member of the Memorial Volunteer Fire Company of Slaughter Beach, DE, which he and several others established in 1954. Howard previously served as fire chief, assistant chief engineer, and director of the fire company. He also started its Santa Claus show for children, which still occurs each year during the holiday season. Howard has served the fire company for more than 60 years and is the only living charter member.

On February 14, 2015, the Memorial Volunteer Fire Company will honor Howard for his service. Howard is a true Delawarean and a model community leader. I would like to honor Howard and his more than six decades of service to his family, friends, community, and the State of Delaware.●

REMEMBERING JAMES ALLEN

● Mr. BOOZMAN. Mr. President, I wish to honor the life and legacy of Rogers Police Chief James Allen, who passed away on Thursday after a long battle with cancer.

After more than three decades of public service, Chief Allen was well respected in the law enforcement community across Arkansas. He was a dedicated leader who devoted his life to law enforcement.

Chief Allen graduated from Arkansas State University with a degree in criminal justice. Following graduation he joined the Jacksonville Police Department and within a few short years was named the captain of the Pulaski County Sheriff's Office. Chief Allen was the youngest police chief to serve on the Bentonville Police Force, a position which he held for 22 years. During his time at the helm of the Bentonville Police Department, Chief Allen graduated from the FBI National Academy. In 2011, he became the Rogers police chief.

I am greatly appreciative for Chief Allen's continued service over the years to Arkansas and Rogers, the community I call home. Chief Allen was a man of the law, and he was always looking for opportunities to improve the resources for his staff and the community by applying for grants. I was happy to help support his endeavors.

I pray for his family and friends during this trying time, and I hope they find comfort knowing that Chief Allen touched so many lives in the State. He will be missed but leaves a lasting legacy.●

TRIBUTE TO TOM GRADY

● Mr. HELLER. Mr. President, I wish to congratulate Assemblyman Tom Grady, of Yerington, on his retirement. After serving 12 years in the Nevada Legislature, Assemblyman Grady is retiring from public service. It gives me great pleasure to congratulate him not only as a colleague but also as a friend on his retirement after more than 36 years of hard work and dedication to the Silver State.

A devoted husband and proud father of three, Assemblyman Grady stands as a shining example of someone who has dedicated his life to serving his community. Upon graduating from the University of Nevada, Reno, Assemblyman Grady went on to attend the Washington State Bankers School. After moving back to Nevada, he served as the secretary-treasurer of the Truckee Carson Irrigation District before advancing to vice president of Pioneer Citizens Bank of Nevada. After leaving the bank, Assemblyman Grady reentered public service after winning a seat on the Yerington City Council. After 3 years of service on the Yerington City Council, Assemblyman Grady was elected mayor, a position he held for 12 years.

Assemblyman Grady's experience as a local government leader qualified him for a seat in the Nevada Assembly, where he dutifully served his constituents for 12 years. During his time in the legislature, Assemblyman Grady served on the Taxation, Ways and Means, and Government Affairs Committee. Although I missed him by a few years in the assembly, I am proud to have served with Assemblyman Grady in Nevada State government as secretary of state.

His service to his community goes far beyond the many positions he has held in the Silver State over the years. Assemblyman Grady also served his country in the U.S. Army Reserve. I extend my deepest gratitude to him for his courageous contributions to the United States of America and to freedom-loving nations around the world. His service to his country and his bravery and dedication to his family and community earn him a place among the outstanding men and women who have valiantly defended our Nation. As a member of the Senate Committee on Veterans' Affairs, I recognize that Congress has a responsibility not only to honor these brave individuals who serve America but also to ensure they are cared for when they return home.

I am grateful for his dedication and commitment to the people of Yerington. He personifies the highest standards of leadership and community service and should be proud of his long and meaningful career. Today, I ask that all of my colleagues join me in congratulating Assemblyman Grady on his retirement, and I offer my deepest appreciation for all that he has done to make Nevada an even better place. I offer my best wishes to Assemblyman Grady, his wife Patricia, and their three children and seven grandchildren for many successful and fulfilling years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:11 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 357. An act to amend the Trafficking Victims Protection Act of 2000 to expand the training for Federal Government personnel related to trafficking in persons, and for other purposes.

H.R. 468. An act to amend the Runaway and Homeless Youth Act to increase knowledge concerning, and improve services for, runaway and homeless youth who are victims of trafficking.

H.R. 514. An act to prioritize the fight against human trafficking within the Department of State according to congressional intent in the Trafficking Victims Protection Act of 2000 without increasing the size of the Federal Government, and for other purposes.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Chairman.

The message further announced that pursuant to 22 U.S.C. 6913 and the order of the House of January 6, 2015, the Speaker appoints the following Member on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. SMITH of New Jersey, Chairman.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 357. An act to amend the Trafficking Victims Protection Act of 2000 to expand the training for Federal Government personnel related to trafficking in persons, and for other purposes; to the Committee on Foreign Relations.

H.R. 468. An act to amend the Runaway and Homeless Youth Act to increase knowledge concerning, and improve services for, runaway and homeless youth who are victims of trafficking; to the Committee on the Judiciary.

H.R. 514. An act to prioritize the fight against human trafficking within the Department of State according to congressional intent in the Trafficking Victims Protection Act of 2000 without increasing the size of the Federal Government, and for other purposes; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 272. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 42. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself and Mr. PORTMAN):

S. 256. A bill to amend the definition of ''homeless person'' under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself, Mr. TESTER, and Mr. THUNE):

S. 257. A bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. TESTER, Mr. COATS, Mr. COCHRAN, Mr. GRASSLEY, Mr. MORAN, Mr. BARRASSO, Mr. THUNE, Mrs. FISCHER, Mr. DAINES, Mr. INHOFE, Mr. WICKER, Mr. HOEVEN, Ms. MURKOWSKI, Ms. HEITKAMP, Ms. BALDWIN, Mr. MERKLEY, and Ms. KLOBUCHAR):

S. 258. A bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services; to the Committee on Finance.

By Mr. HOEVEN (for himself and Ms. KLOBUCHAR):

S. 259. A bill to modify the efficiency standards for grid-enabled water heaters; to the Committee on Energy and Natural Resources.

By Mrs. MCCASKILL (for herself, Mr. PORTMAN, and Mr. TOOMEY):

S. 260. A bill to require the United States International Trade Commission to recommend temporary duty suspensions and reductions to Congress, and for other purposes; to the Committee on Finance.

By Mr. INHOFE:

S. 261. A bill to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr. United States Courthouse; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself, Ms. COLLINS, Ms. AYOTTE, and Mr. BOOKER):

S. 262. A bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 263. A bill to protect the right of individuals to bear arms at water resources development projects; to the Committee on Environment and Public Works.

By Mr. PAUL (for himself, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mr. CASSIDY, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. GARDNER, Mr. GRASSLEY, Mr. HATCH, Mr. HELLER, Mr. ISAKSON, Mr. KIRK, Mr. LANKFORD, Mr. LEE, Mr. MCCONNELL, Mr. MORAN, Ms. MURKOWSKI, Mr. PORTMAN, Mr. RISCH, Mr. RUBIO, Mr. SCOTT, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, Mr. PERDUE, Mrs. CAPITO, and Ms. HIRONO):

S. 264. A bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT (for himself, Mr. CORNYN, Mr. ALEXANDER, Mr. CRUZ, Mr. RUBIO, Mr. FLAKE, and Mr. HATCH):

S. 265. A bill to expand opportunity through greater choice in education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Mr. NELSON):

S. 266. A bill to amend the Internal Revenue Code of 1986 to modify safe harbor requirements applicable to automatic contribution arrangements, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY:

S. 267. A bill to authorize the transfer of certain items under the control of the Omar Bradley Foundation to the descendants of General Omar Bradley; to the Committee on Armed Services.

By Mr. SANDERS (for himself and Ms. MIKULSKI):

S. 268. A bill to improve the infrastructure of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KIRK (for himself, Mr. MENENDEZ, Mr. MCCONNELL, Mr. SCHUMER, Ms. AYOTTE, Mr. BLUMENTHAL, Mr. COATS, Mr. PETERS, Mr. RUBIO, Mr. MANCHIN, Mr. GRAHAM, Mr. DONNELLY, Mr. CRUZ, Mr. CASEY, Mr. BURR, and Mr. BLUNT):

S. 269. A bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. SHAHEEN (for herself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. BROWN, Mr. LEAHY, Mr. MARKEY, Mr. COONS, Mr. WYDEN, Mr. MURPHY, Mr. DURBIN, Mr. SCHATZ, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. HIRONO, Mr. FRANKEN, and Mr. PETERS):

S. 270. A bill to amend title 38, United States Code, to revise the definition of spouse for purposes of veterans benefits in recognition of new State definitions of spouse, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REID (for himself and Mr. WYDEN):

S. 271. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes; to the Committee on Armed Services.

By Mrs. SHAHEEN (for herself and Ms. MIKULSKI):

S. 272. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SHELBY:

S. Res. 42. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs; from the Committee on Banking, Housing, and Urban Affairs; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 11

At the request of Mr. BLUNT, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 11, a bill to protect the separation of powers in the Constitution of the United States by ensuring that the President takes care that the laws be faithfully executed, and for other purposes.

S. 30

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 30, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 33

At the request of Mr. BARRASSO, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 33, a bill to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, and for other purposes.

S. 38

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 38, a bill to ensure that long-term unemployed individuals are not taken into account for purposes of the employer health care coverage mandate.

S. 143

At the request of Mr. WICKER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 143, a bill to allow for improvements to the United States Merchant Marine Academy and for other purposes.

S. 144

At the request of Mr. CRAPO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 144, a bill to prohibit the Federal Government from mandating, incentivizing, or making financial support conditioned upon a State, local educational agency, or school's adoption of specific instructional content, academic standards, or curriculum, or on the administration of assessments or tests, and for other purposes.

S. 155

At the request of Mr. MORAN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 155, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 167

At the request of Mr. MCCAIN, the names of the Senator from Maine (Ms. COLLINS), the Senator from Massachusetts (Mr. MARKEY), the Senator from California (Mrs. BOXER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 167, a bill to direct the Secretary of Veterans Affairs to provide for the conduct of annual evaluations of mental health care and suicide prevention programs of the Department of Veterans Affairs, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 170

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 170, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 197

At the request of Ms. BALDWIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 197, a bill to amend the Elementary and Secondary Education Act of 1965 to award grants to States to improve delivery of high-quality assessments, and for other purposes.

S. 201

At the request of Mr. PORTMAN, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 201, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 203

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 203, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 210

At the request of Mr. CASEY, the names of the Senator from California (Mrs. BOXER) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 214, a bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes.

S. 234

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 234, a bill to amend the Federal Water Pollution Control Act to confirm the scope of the authority of the Administrator of the Environmental Protection Agency to deny or restrict the use of defined areas as disposal sites.

S. 247

At the request of Mr. CRUZ, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 247, a bill to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, and for other purposes.

S. 255

At the request of Mr. PAUL, the names of the Senator from Utah (Mr. LEE) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 255, a bill to restore the integrity of the Fifth Amendment to the Constitution of the United States, and for other purposes.

S. RES. 35

At the request of Ms. MIKULSKI, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Virginia (Mr. KAINE) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Res. 35, a resolution commemorating the 70th anniversary of the liberation of the Auschwitz extermination camp in Nazi-occupied Poland.

AMENDMENT NO. 15

At the request of Mr. CRUZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of amendment No. 15 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 92

At the request of Mr. BURR, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of amendment No. 92 proposed to S. 1, a bill to approve the Keystone XL Pipeline.

AMENDMENT NO. 156

At the request of Mr. REED, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Pennsylvania (Mr. CASEY), the Senator from Delaware (Mr. COONS), the Senator from New York (Mr. SCHUMER), the Senator from

New York (Mrs. GILLIBRAND), the Senator from West Virginia (Mr. MANCHIN), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Maine (Mr. KING), the Senator from Vermont (Mr. LEAHY), the Senator from Connecticut (Mr. MURPHY), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 156 intended to be proposed to S. 1, a bill to approve the Keystone XL Pipeline.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mr. PORTMAN):

S. 256. A bill to amend the definition of ''homeless person'' under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce bipartisan legislation with my colleague Senator PORTMAN that would expand the definition of ''homeless'' used by the U.S. Department of Housing and Urban Development, HUD, to ensure all homeless children and families are considered eligible for existing Federal homeless assistance programs. This change in the definition would be in alignment with what is already currently used by the U.S. Department of Education.

According to the U.S. Department of Education, approximately 1.2 million children were homeless during the 2012–2013 school year, which accounts fora 6 percent increase from the 1,166,436 homeless students enrolled in the 2011–2012 school year.

In California, 259,656 children experienced homelessness last year. This increase is nearly four times the 65,000 homeless children that were reported in California in 2003.

Unfortunately, the numbers reported by the HUD ''Point-in-Time Count'' fail to accurately reflect the upward trend in homeless families.

According to the 2013 HUD ''Point-in-Time Count,'' there were only 222,197 people counted as homeless in households that included children, a fraction of the number reported by the Department of Education.

This issue is important because only those children and their families counted by HUD are eligible for vital homeless assistance programs. The rest of these children and families are simply out of luck and are turned away by providers that do not want to be reprimanded for not following HUD regulations.

The Homeless Children and Youth Act of 2015 would expand the homeless definition to allow HUD funded homeless assistance programs to serve extremely vulnerable children and families, specifically those staying in self-paid motels or in doubled up situations because they have nowhere else to go.

These families are especially susceptible to physical and sexual abuse, trafficking, and neglect because they are often not served by a case manager, and thus remain hidden from potential social service providers.

As a result of the current narrow HUD definition, communities that receive federal funding through the discretionary grant process are unable to prioritize or direct resources to help these children and families.

This bill would provide communities with the flexibility to use federal funds to meet local priorities.

I would also like to note that this legislation comes at no additional cost to taxpayers and does not impose any new mandates on service providers.

Finally, this legislation improves data collection transparency by requiring HUD to report data on homeless individuals and families currently recorded under the existing Homeless Management Information System survey.

I am pleased that Senator ROB PORTMAN (R–OH) has joined me as an original cosponsor on this bill.

Homelessness continues to plague our Nation. If we fail to address the needs of these children and families today, they will remain invisible and stuck in a cycle of poverty and chronic homelessness.

It is our responsibility to ensure that we do not erect more barriers for these children and families to access services when they are experiencing extreme hardship. I believe this bill is a commonsense solution that will ensure that homeless families and children can receive the help they need.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Homeless Children and Youth Act of 2015''.

SEC. 2. AMENDMENTS TO THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT.

The McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.) is amended—

(1) in section 103—

(A) in subsection (a)—

(i) in paragraph (5)(A)—

(I) by striking ''are sharing'' and all that follows through ''charitable organizations,'';

(II) by striking ''14 days'' each place that term appears and inserting ''30 days'';

(III) in clause (i), by inserting ''or'' after the semicolon;

(IV) by striking clause (ii); and

(V) by redesignating clause (iii) as clause (ii); and

(ii) by amending paragraph (6) to read as follows:

''(6) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who—

''(A) are certified as homeless by the director or designee of a director of a program funded under any other Federal statute; or

''(B) have been certified by a director or designee of a director of a program funded under this Act or a director or designee of a director of a public housing agency as lacking a fixed, regular, and adequate nighttime residence, which shall include—

''(i) temporarily sharing the housing of another person due to loss of housing, economic hardship, or other similar reason; or

''(ii) living in a room in a motel or hotel.''; and

(B) by adding at the end the following:

''(f) OTHER DEFINITIONS.—In this section—

''(1) the term 'other Federal statute' has the meaning given that term in section 401; and

''(2) the term 'public housing agency' means an agency described in section 3(b)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(6)).'';

(2) in section 401—

(A) in paragraph (1)(C)—

(i) by striking clause (iv); and

(ii) by redesignating clauses (v), (vi), and (vii) as clauses (iv), (v), and (vi);

(B) in paragraph (7)—

(i) by striking ''Federal statute other than this subtitle'' and inserting ''other Federal statute''; and

(ii) by inserting ''of'' before ''this Act'';

(C) by redesignating paragraphs (14) through (33) as paragraphs (15) through (34), respectively; and

(D) by inserting after paragraph (13) the following:

''(14) OTHER FEDERAL STATUTE.—The term 'other Federal statute' includes—

''(A) the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

''(B) the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.);

''(D) section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h));

''(E) section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

''(F) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.); and

''(G) subtitle B of title VII of this Act.'';

(3) by inserting after section 408 the following:

''SEC. 409. AVAILABILITY OF HMIS REPORT.

''(a) IN GENERAL.—The information provided to the Secretary under section 402(f)(3) shall be made publically available on the Internet website of the Department of Housing and Urban Development in aggregate, non-personally identifying reports.

''(b) REQUIRED DATA.—Each report made publically available under subsection (a) shall be updated on at least an annual basis and shall include—

''(1) a cumulative count of the number of individuals and families experiencing homelessness;

''(2) a cumulative assessment of the patterns of assistance provided under subtitles B and C for the each geographic area involved; and

''(3) a count of the number of individuals and families experiencing homelessness that are documented through the HMIS by each collaborative applicant.'';

(4) in section 422—

(A) in subsection (a)—

(i) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(ii) by adding at the end the following:

''(2) RESTRICTION.—In awarding grants under paragraph (1), the Secretary may not consider or prioritize the specific homeless

populations intended to be served by the applicant if the applicant demonstrates that the project—

''(A) would meet the priorities identified in the plan submitted under section 427(b)(1)(B); and

''(B) is cost-effective in meeting the overall goals and objectives identified in that plan.''; and

(B) by striking subsection (j);

(5) in section 424(d), by striking paragraph (5);

(6) in section 427(b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (vi), by adding ''and'' at the end;

(II) in clause (vii), by striking ''and'' at the end; and

(III) by striking clause (viii);

(ii) in subparagraph (B)—

(I) in clause (iii), by adding ''and'' at the end;

(II) in clause (iv)(VI), by striking ''and'' at the end; and

(III) by striking clause (v);

(iii) in subparagraph (E), by adding ''and'' at the end;

(iv) by striking subparagraph (F); and

(v) by redesignating subparagraph (G) as subparagraph (F); and

(B) by striking paragraph (3); and

(7) by amending section 433 to read as follows:

''SEC. 433. REPORTS TO CONGRESS.

''(a) IN GENERAL.—The Secretary shall submit to Congress an annual report, which shall—

''(1) summarize the activities carried out under this subtitle and set forth the findings, conclusions, and recommendations of the Secretary as a result of the activities; and

''(2) include, for the year preceding the date on which the report is submitted—

''(A) data required to be made publically available in the report under section 409; and

''(B) data on programs funded under any other Federal statute, as such term is defined in section 401.

''(b) TIMING.—A report under subsection (a) shall be submitted not later than 4 months after the end of each fiscal year.''.

By Mr. INHOFE:

S. 261. A bill to designate the United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, as the William J. Holloway, Jr. United States Courthouse; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, I am introducing a bill to name the Federal courthouse serving the Western District of Oklahoma after the late Judge William J. Holloway.

This legislation has the support of the judges on the Western District, retired Judge Ralph Thompson who served on the bench in the Western District for from 1975 to 2007, and many in the legal community in the Western District of Oklahoma.

Judge Holloway was born in Hugo, OK, and his father was the eighth governor of the State of Oklahoma. He served in the U.S. Army during the height of World War II, received his law degree from Harvard University in 1950, and worked in private practice with a 2-year stint for the Department of Justice. President Lyndon Johnson nominated Judge Holloway to the 10th Circuit in August 1968, and the Senate confirmed him on September 13, 1968, where he served as chief judge from 1984 to 1991. Judge Holloway assumed senior status in May 1992 and passed away April 25, 2014, in Oklahoma City.

Judge Holloway was the longest serving judge on the 10th Circuit, and during his service, he authored over 900 opinions. He was well regarded by all who worked with him, appeared before him, and knew him. I have not found a person knowledgeable of Judge Holloway or his service who could not unequivocally tell you that Judge Holloway adhered to precedent when deciding cases. He did not proclaim any type of philosophy. As new 10th Circuit Judge Robert Bacharach described Judge Holloway, ''He simply decided cases by asking 'What does the statute say? What does the Constitution say? What are the facts of this case?'' We know that is a high standard, and a standard lost sometimes in our judiciary.

When he passed away last year, 10th Circuit Judge Jerome Holmes said of Judge Holloway, ''The nation has lost a thoughtful, dedicated, and compassionate jurist, and, as a former law clerk of Judge Holloway, I have lost a mentor, dear friend, and colleague. I know that Judge Holloway was very honored to serve his nation as a judge on the Tenth Circuit, and he served with great distinction.''

On behalf of Judge Holloway and his family, I introduce this bill in his honor.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 261

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WILLIAM J. HOLLOWAY, JR. UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 200 NW 4th Street in Oklahoma City, Oklahoma, shall be known and designated as the ''William J. Holloway, Jr. United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''William J. Holloway, Jr. United States Courthouse''.

U.S. DISTRICT COURT,
WESTERN DISTRICT OF OKLAHOMA,
Oklahoma City, Oklahoma, August 14, 2014.

Hon. JAMES M. INHOFE,
U.S. Senate,
Washington, DC.

DEAR SENATOR INHOFE: We are writing to respectfully request that the United States Courthouse in Oklahoma City be named the ''William J. Holloway, Jr. United States Courthouse.'' Judge Holloway died on April 25, 2014, at the age of 90. At that time, he was the longest serving judge in the history of the Tenth Circuit Court of Appeals, having served for over 45 years. During his remarkable tenure on the court, Judge Holloway authored over 900 opinions and participated in the decision of thousands more.

Judge Holloway was a kind, compassionate man who quietly and diligently spent his lifetime working for justice. He did so without fanfare, seeking only to fulfill the great responsibility given to him. Though Judge Holloway is deceased, we can think of no more noble name for our courthouse than the ''William J. Holloway, Jr. United States Courthouse.'' He embodied every trait that all federal judges should strive to achieve.

This request is made by every federal judge in Oklahoma City. Please do not hesitate to contact any of us if you have any questions about our request.

Yours very truly,

Jerome A. Holmes, U.S. Circuit Judge; Vicki Miles-LaGrange, Chief U.S. District Judge; Robert E. Bacharach, U.S. Circuit Judge; Robin J. Cauthron, U.S. District Judge; Stephen P. Friot, U.S. District Judge; Timothy D. DeGiusti, U.S. District Judge; David L. Russell, Senior U.S. District Judge; Gary M. Purcell, Chief U.S. Magistrate Judge; Suzanne Mitchell, U.S. Magistrate Judge; Sarah Hall, Chief U.S. Bankruptcy Judge; Joe Heaton, U.S. District Judge; Lee R. West, Senior U.S. District Judge; Tim Leonard, Senior U.S. District Judge; Shon T. Erwin, U.S. Magistrate Judge; Charles B. Goodwin, U.S. Magistrate Judge; Niles L. Jackson, U.S. Bankruptcy Judge.

By Mr. LEAHY (for himself, Ms. COLLINS, Ms. AYOTTE, and Mr. BOOKER):

S. 262. A bill to reauthorize the Runaway and Homeless Youth Act, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am proud today to introduce the Leahy-Collins Runaway and Homeless Youth and Trafficking Prevention Act. It is deplorable that in the wealthiest country in the world, 1.6 million teenagers live on the streets because they have no home. We know that those who do not have a safe place to sleep at night are particularly vulnerable to being exploited and trafficked. A recent study found that nearly one in four homeless young people have been victims of trafficking or sexual exploitation. We often talk about human trafficking as an international problem, but the sad truth is that it is a major problem right here at home. It is time we provide the resources to help protect our children from this very real threat.

The Runaway Youth Act, first signed into law in 1974, has proven essential to providing the basic services and resources that runaway and homeless youth need, and our continued support is vital. Thirty-nine percent of the homeless population is under the age of 18, and the average age at which a teen becomes homeless is 14.7 years old. Think about that. The average teen living on the streets is not even old enough to drive. These young people represent our country's future and its optimism, and as a father and a grandfather, I believe that we must do more to address the needs of the 1.6 million homeless youth in our country.

Teens run away and become homeless for myriad reasons. A U.S. Department

of Health and Human Services study found that 46 percent of homeless youth had run away because of physical abuse and 17 percent because of sexual abuse. Nearly 40 percent of homeless youth identify as LGBT and report leaving home because of a lack of acceptance. By including a new provision that prohibits grantees from denying services based on the sexual orientation or gender identity of the homeless youth, this bill takes important new steps to make sure that we are meeting the needs of this growing and particularly vulnerable population. No young person should be turned away from these essential services.

We have made great strides in recent years in our efforts to combat human trafficking. Most recently, we reauthorized the comprehensive Trafficking Victims Protection Act, a bipartisan bill I introduced and was proud to see enacted as part of the Leahy-Crapo Violence Against Women Reauthorization Act. And last year, we saw historic levels of funding for victims of trafficking, an urgently needed increase that I was proud to support as the most senior member of the Appropriations Committee. But we must not forget the importance of investing in prevention efforts as well, and I was disappointed that Congress failed to pass the bipartisan Runaway and Homeless Youth and Trafficking Prevention Act. If we are to make a real difference to end modern day slavery, we must protect those who are most vulnerable and prevent the exploitation in the first place. We cannot simply focus on ending demand and arrest our way out of this problem; we must eliminate the conditions that make these children so vulnerable. That means investing in stable housing and support services for more kids in need; we are not doing enough. I hope that we can finally enact this meaningful bill in 2015.

In addition to the dangers of human trafficking, homeless youth are at greater risk of suicide, unintended pregnancy, and substance abuse. They are less likely to finish school, more likely to enter our juvenile justice system, and are often ill-equipped to find a job. The services authorized by this bill are designed to intervene early and encourage the development of successful, productive young adults.

I have heard from dozens of service providers from across the country, including in my home state of Vermont, that these programs work. I am proud to say that last year, 95 percent of youth receiving services from the Vermont Coalition for Runaway and Homeless Youth Programs were able to exit to a safe living situation upon their completion of programming. Without the programs funded through the Runaway and Homeless Youth Act, hundreds of thousands of children would be left on the street and vulnerable to exploitation. Congress has an opportunity to respond in a meaningful and historic way.

I thank Senators COLLINS, BOOKER, and AYOTTE for working with me on this legislation and for joining me as original cosponsors. We have the chance to make a real difference by passing the Runway and Homeless Youth and Trafficking Prevention Act. Every day we wait is another night too many children are sleeping on the streets.

By Mr. REID (for himself and Mr. WYDEN):

S. 271. A bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes; to the Committee on Armed Services.

Mr. REID. Mr. President, I rise today on behalf of our Nation's veterans to once again discuss the unjust and outdated policy of failing to give our veterans the full military retirement and veterans disability compensation benefits that they have earned in their service to the Nation. Full payment of retirement and disability benefits, together known as ''concurrent receipt,'' is an issue that I have strongly advocated for more than a decade.

In the past, veterans were prevented from receiving the full pay and benefits they earned in dedicated service to our country. The law required that military retirement pay be reduced dollar-for-dollar by the amount of any disability compensation a veteran received. I am pleased to say that many Senators have joined me in fighting this policy, and we have made some progress on behalf of our Nation's veterans

In 2003, Congress passed legislation that allowed disabled retired veterans with at least a 50 percent disability rating to become eligible for full concurrent receipt benefits by 2013. In 2004, the 10-year phase-in period was eliminated for veterans with 100 percent service-related disability. With the phase-in period now complete, I am deeply gratified that all those veterans with over 50 percent disability ratings are now receiving the full benefits they earned from their service. These are significant victories that put hundreds of thousands of veterans on track to receive both their retirement and disability benefits. However, many more of our veterans remain unjustly impacted by the denial of concurrent receipt.

For me, this is a simple matter of fairness. There is no reason to deny a veteran who has served their country honorably the right to the full value of their retirement pay simply because their service also resulted in a disability that affects them each and every day for the rest of their lives. Unfortunately, that is exactly what the current law does. This legislation will bring that indefensible practice to an end.

This is not a partisan issue. Our Nation has been at war for over a decade, through both Republican and Democratic administrations, and our service members have performed with unmatched valor around the world. Our utmost duty as lawmakers should be to ensure that the brave men and women who served in the United States Armed Forces receive the benefits they have earned.

So once again, I rise on behalf of our Nation's veterans. Today, I introduce legislation that will eliminate all limitations to concurrent receipt. We must take action now to support our veterans who have never faltered in their unwavering service to this grateful Nation. This is the right thing to do.

I hope my Senate colleagues will join me in supporting this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Retired Pay Restoration Act of 2015''.

SEC. 2. ELIGIBILITY FOR PAYMENT OF BOTH RETIRED PAY AND VETERANS' DISABILITY COMPENSATION FOR CERTAIN MILITARY RETIREES WITH COMPENSABLE SERVICE-CONNECTED DISABILITIES.

(a) EXTENSION OF CONCURRENT RECEIPT AUTHORITY TO RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—

(1) REPEAL OF 50 PERCENT REQUIREMENT.—Section 1414 of title 10, United States Code, is amended by striking paragraph (2) of subsection (a).

(2) COMPUTATION.—Paragraph (1) of subsection (c) of such section is amended by adding at the end the following new subparagraph:

''(G) For a month for which the retiree receives veterans' disability compensation for a disability rated as 40 percent or less or has a service-connected disability rated as zero percent, $0.''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of section 1414 of such title is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation''.

(2) The item relating to such section in the table of sections at the beginning of chapter 71 of such title is amended to read as follows:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent payment of retired pay and disability compensation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2016, and shall apply to payments for months beginning on or after that date.

SEC. 3. COORDINATION OF SERVICE ELIGIBILITY FOR COMBAT-RELATED SPECIAL COMPENSATION AND CONCURRENT RECEIPT.

(a) AMENDMENTS TO STANDARDIZE SIMILAR PROVISIONS.—

(1) QUALIFIED RETIREES.—Subsection (a) of section 1414 of title 10, United States Code, as amended by section 2(a), is amended—

(A) by striking ''a member or'' and all that follows through ''retiree')'' and inserting ''a qualified retiree''; and

(B) by adding at the end the following new paragraph:

''(2) QUALIFIED RETIREES.—For purposes of this section, a qualified retiree, with respect to any month, is a member or former member of the uniformed services who—

''(A) is entitled to retired pay (other than by reason of section 12731b of this title); and

''(B) is also entitled for that month to veterans' disability compensation.''.

(2) DISABILITY RETIREES.—Paragraph (2) of subsection (b) of section 1414 of such title is amended to read as follows:

''(2) SPECIAL RULE FOR RETIREES WITH FEWER THAN 20 YEARS OF SERVICE.—The retired pay of a qualified retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service is subject to reduction by the lesser of—

''(A) the amount of the reduction under sections 5304 and 5305 of title 38; or

''(B) the amount (if any) by which the amount of the member's retired pay under such chapter exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2016, and shall apply to payments for months beginning on or after that date.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 42—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SHELBY submitted the following resolution; from the Committee on Banking, Housing, and Urban Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 42

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs (in this resolution referred to as the ''committee'') is authorized from March 1, 2015 through February 28, 2017, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2015.—The expenses of the committee for the period March 1, 2015 through September 30, 2015 under this resolution shall not exceed $3,119,153, of which amount—

(1) not to exceed $8,370 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $503 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2016 PERIOD.—The expenses of the committee for the period October 1, 2015 through September 30, 2016 under this resolution shall not exceed $5,347,119, of which amount—

(1) not to exceed $14,348 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $861 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2017.—The expenses of the committee for the period October 1, 2016 through February 28, 2017 under this resolution shall not exceed $2,227,966, of which amount—

(1) not to exceed $5,978 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $358 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2017.

SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2015 through September 30, 2015;

(2) for the period October 1, 2015 through September 30, 2016; and

(3) for the period October 1, 2016 through February 28, 2017.

AMENDMENTS SUBMITTED AND PROPOSED

SA 243. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 73 proposed by Mr. MORAN (for himself and Mr. CRUZ) to the amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table.

SA 244. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra; which was ordered to lie on the table.

SA 245. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

SA 246. Mr. DAINES proposed an amendment to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, supra.

TEXT OF AMENDMENTS

SA 243. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 73 proposed by Mr. MORAN (for himself and Mr. CRUZ) to the amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. __. PROHIBITION ON LISTING THE NORTHERN LONG-EARED BAT AS AN ENDANGERED SPECIES.

Notwithstanding any other provision of law (including regulations), the Director of the United States Fish and Wildlife Service shall not list the northern long-eared bat as an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 244. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. PROHIBITION ON LISTING THE NORTHERN LONG-EARED BAT AS AN ENDANGERED SPECIES.

Notwithstanding any other provision of law (including regulations), the Director of the United States Fish and Wildlife Service shall not list the northern long-eared bat as an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 245. Mr. BARRASSO submitted an amendment intended to be proposed to

amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; as follows:

At the appropriate place, insert the following:

SEC. ___. NO EFFECT ON INDIAN TREATIES.

Nothing in this Act may change, suspend, supersede, or abrogate any trust obligation or treaty requirement of the United States with respect to any Indian nation without consultation with the applicable Indian nation, as required under Executive Order 13175 (67 Fed. Reg. 67249) (November 6, 2000).

SA 246. Mr. DAINES proposed an amendment to amendment SA 2 proposed by Ms. MURKOWSKI (for herself, Mr. HOEVEN, Mr. BARRASSO, Mr. RISCH, Mr. LEE, Mr. FLAKE, Mr. DAINES, Mr. MANCHIN, Mr. CASSIDY, Mr. GARDNER, Mr. PORTMAN, Mr. ALEXANDER, and Mrs. CAPITO) to the bill S. 1, to approve the Keystone XL Pipeline; as follows:

At the appropriate place, insert the following:

SEC. _. SENSE OF CONGRESS REGARDING REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

It is the sense of Congress that—

(1) the Land and Water Conservation Fund plays an important role in improving wildlife habitat and increasing outdoor recreation opportunities on Federal and State land; and

(2) reauthorizing the Land and Water Conservation Fund should be a priority for Congress and should include improvements to the structure of the program to more effectively manage existing Federal land.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 27, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 27, 2015, at 10 a.m., to conduct a hearing entitled ''Perspectives on the Strategic Necessity of Iran Sanctions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on January 27, 2015, at 10 a.m., in room SR–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''President Obama's 2015 Trade Policy Agenda.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on January 27, 2015, at 10 a.m., in room SH–216 of the Hart Senate Office Building to conduct a hearing entitled ''Fixing No Child Left Behind: Supporting Teachers and School Leaders.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 27, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Mary Future and Carter Burwell, detailees from the Department of Justice, be given the privileges of the floor during the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 272

Ms. MURKOWSKI. Mr. President, I understand that S. 272, introduced earlier today by Senator SHAHEEN, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 272) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2015, and for other purposes.

Ms. MURKOWSKI. I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JANUARY 28, 2015

Ms. MURKOWSKI. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, January 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that the Senate then be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half and the Democrats controlling the final half; and that following morning business, the Senate then resume consideration of S. 1 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

THE AMENDMENT PROCESS

Ms. CANTWELL. If I could, I want to say to our colleagues who may have been following this process that we encourage people who haven't spoken or who plan on speaking to come down to the floor and do so.

I appreciate the Senator from Alaska working with us on this amendment process today.

Ms. MURKOWSKI. Mr. President, it has been a long day and we are at the end, but as Members can see, we have a path forward tomorrow, and I think that is good.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:10 p.m., adjourned until Wednesday, January 28, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

RICHARD T. JULIUS, OF NORTH CAROLINA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2019, VICE RAYMOND T. WAGNER, JR., TERM EXPIRED.

ENVIRONMENTAL PROTECTION AGENCY

ALBERT STANLEY MEIBURG, OF GEORGIA, TO BE DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE ROBERT PERCIASEPE, RETIRED.

DEPARTMENT OF JUSTICE

STUART F. DELERY, OF THE DISTRICT OF COLUMBIA, TO BE ASSOCIATE ATTORNEY GENERAL, VICE DEREK ANTHONY WEST, RESIGNED.